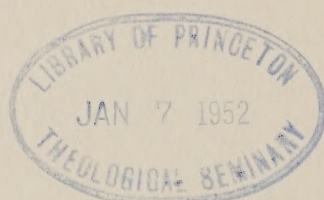
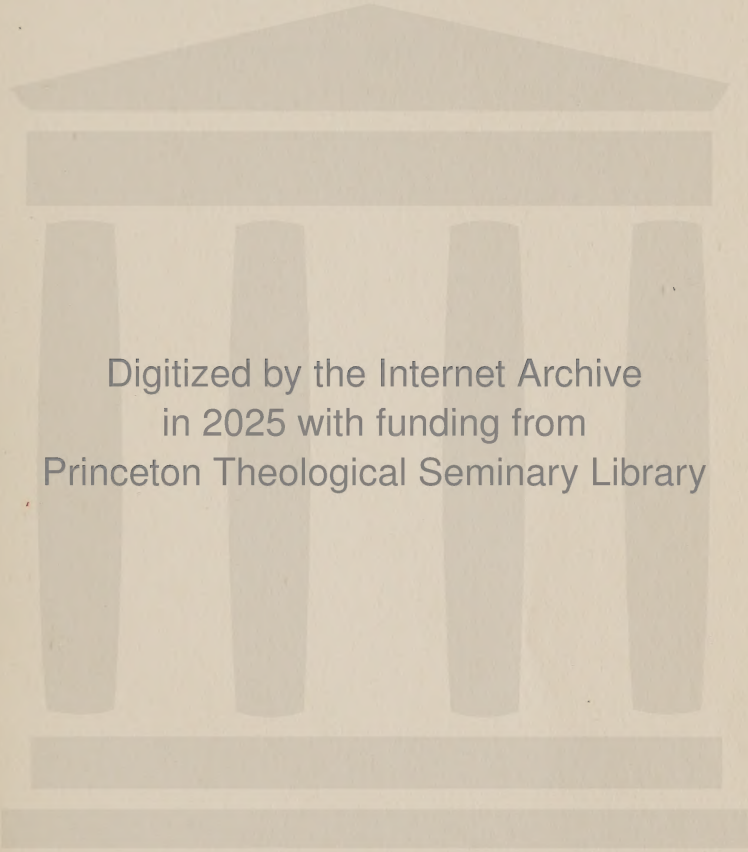


SIR
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BACON

HIS LIFE AND WORKS

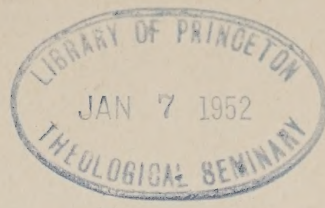


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SIR FRANCIS BACON
HIS LIFE AND WORKS



A. WIGFALL GREEN

SIR
FRANCIS
BACON

HIS LIFE AND WORKS

ALAN SWALLOW, DENVER

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¹Only the major references to this work are cited. Some of the citations in Spedding have been studied independently and are listed as original citations.

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INTRODUCTION

Bacon and the New World

“**F**OR my name and memory, I leave it to men’s charitable speeches, and to foreign nations, and the next ages.” Such is Bacon’s bequest to posterity in his last will and testament drafted a third of a millennium ago. Foreign nations and succeeding ages have burnished his name and made it more lustrous than it was in his own time. They have said, “What Aristotle was to the ancients, such Bacon is to the moderns.” The maxim would please Bacon if it meant that Aristotle is darkness and Bacon light; but it would sorely displease him if it meant that the light of Aristotle has projected itself to Bacon. To Bacon, Aristotle was a vital spirit during the Middle Ages, but a skeleton drained of blood and stripped of flesh in the more enlightened Renaissance. Aristotle had become effete, Bacon insisted, because he had not used the proper method of studying Nature; nor had he based his conclusions on direct observation and collection of a sufficient number of instances. The syllogism was appropriate to the cobwebs of the cloister, to student disputation, to antique adornment of speech, but not to the study of Nature, for it led not to truth. Bacon believed that induction, which Aristotle had described, and which Bacon’s contemporary, Bernard Palissy, had fervently advocated, would through new application be a light-bringer to modern man. Through the ruthlessness of time, however, the works of both Aristotle and Bacon have come to be mere garners of unrelated information. But in the material which Bacon has gathered and preserved for posterity, there are scattered grains of rare beauty and worth, the more precious because mildewed; and, more important, there is in his scrolls the story of all human thought recorded when the ancient world was blending with the modern world. An avid eye, searching for knowledge at the heart of Nature through all nations at all times: a mind at once analytical and assimilative,

ordering and synthesizing the fact gained through reading and observation; and a hand unwearied, setting down in exalted style the harvest of his research and meditation, have merited the appellation, "the Master of those who know."

Bacon plays a major role in the intellectual pageant called the Renaissance, but he has close affinity with the mediaeval torch-bearers and with those transitional from the Middle Ages to the Renaissance: his intellectual interests are even more varied than those of the thirteenth-century scholar, Roger Bacon; he had the genius for law-giving and the interest in universities and natural science of Frederick II of Naples; and he had the scientific interest and cultured taste, if not the talent in the fine arts, of Leonardo da Vinci. Bacon speaks truly when he says that he constructed the machine which the modern world may operate; that he rings the bell that rouses the world from its mediaeval lethargy.

To the humanists of the Renaissance, Colet, Erasmus, and More, whom he quotes with approbation, Bacon is attached by the closest intellectual and spiritual bonds; for he, like them, would blend the learning preserved in Latin and Greek with the true faith.

As a student at Cambridge University, Bacon conceived a dislike for the sterility of the deductive method of reasoning associated with Aristotle. The dislike became so intense that Bacon devoted much of his life to the dethronement of jejune deduction. Had he done only this, he would have justified his abundant writings—that "enormous solution of continuity," as Rabelais would put it. But he went further: while it must be conceded that Bacon did not originate the inductive method of reasoning, he did rid the mind of preconception and did systematize and popularize that process to such an extent that it is now known as the scientific method. By repudiating the ancient ratiocinative process, based upon limited collection of natural fact and by insisting upon an accurate observation of Nature and an extensive collection of fact, he richly endowed natural science and philosophy. It was for truth in Nature that Bacon searched feverishly throughout the ancient and modern worlds. Even in the trackless myth of the Greeks, he hoped to find the path leading to it. But Bacon's influence in metaphysics, morality, and psychology is greater than in physical science. Although he decried Empiricism, he contributed with open hand to the Empirical School. Like Socrates, he reduced notional morality to practical morality, and he projected speculative psychology so far on its course into the modern world that Bacon's name is an anachronism in his own age. It is not insig-

nificant that the great English philosophers, Berkeley, Hobbes, Hume, and Bentham, partially at least, follow his method; that Descartes considered his work an important contribution to scientific method; that Voltaire helped to popularize his works; and that in Locke's *Concerning Human Understanding*, Bacon's *Novum Organum* has a vicarious immortality. Bacon has been called, with justice, the founder of experimental philosophy.

With the discoveries and explorations of the Renaissance, the horizon, physically and imaginatively, was expanded and the seeds of modern geography were sown. Although Bacon has been called the founder of physical geography, his interest in colonization and exploration is equally comprehensive. The practical essay "Of Plantations" and the *New Atlantis* are diverse manifestations of this new interest, as are also his frequent comparisons of the strength of England and Spain in the New World; but Bacon was more interested in the broadened intellectual vision resulting from Renaissance discoveries than in the discoveries themselves. One of his tracts is called *A Description of the Intellectual Globe*, and in the *Advancement* he says, "Thus have I made as it were a small Globe of the Intellectual World, as truly and faithfully as I could discover." He refers to his survey of knowledge as "a coasting voyage of the new intellectual world," and he says that he entertained the conjectures in the *Novum Organum* for the same reasons that Columbus believed that "new lands and continents might be discovered." The *New Atlantis*, one of the most inspiring of Renaissant works, is a fusion of the expanded physical and intellectual horizon. With rare discernment, Bacon blended the travels of the ancients with Plato's *Republic*; with this product he compounded the voyages of Marco Polo, the social conscience of Sir Thomas More, the accounts of voyages of Raleigh and Hakluyt, and his own scientific interest.

Bacon's works contain references to the medical sciences and to early physicians and surgeons like Hippocrates and Galen, but Bacon seems to have slight knowledge, if any, of the work of Vesalius, Fallopio, and Fabricius, and even of that of William Harvey, his personal physician. In the prolongation of life and the restoration of health, Bacon was so much interested that he copied and compounded many quaint medical "receipts."

In the field of chemistry, Bacon frequently mentions the four elements of the Greeks, earth, water, air, and fire, but he, like his contemporaries, seems to reject these for the three elements of the alchemists, salt, sulphur, and mercury. He was in this respect limited

by the knowledge of his day, in which chemistry was inseparably connected with alchemy; but even while alchemists were being royally subsidized, Bacon was satirizing their attempts to transmute base metals into gold. It was only during Bacon's lifetime that chemistry came to be associated with medicine. Indeed, he examined the charter of the apothecaries which freed them from the Grocers' Company and subordinated them to the physicians.

Bacon's interest in botany lay, like that of his English contemporaries, in the sanative qualities of herbs. His knowledge of the work of Theophrastus seems to be greater than that of the botanists of the Renaissance, Fuchs, Bock, and Aldrovandi, who used the methods approved by Bacon.

In physics, Bacon knew well the work of Aristotle and some of the minor studies of Roger Bacon. He was familiar with, but undervalued, most of the important studies of Gilbert and Galileo. A few of Bacon's own experiments, like those in heat and color and water, show rare insight into Nature and anticipate modern investigation. Quite as fertile is his suggestion that time is required for the transmission of light. Humboldt tells us that in Bacon's study of the winds he has laid the basis for a theory of atmospheric currents.

In geology, Bacon's knowledge was as great as that of any other Englishman of the age. While his attempts to explain the origin of the earth are of no scientific value today, they are of antiquarian worth and reveal Bacon's multiform interests.

In astronomy, Bacon seems to have known the studies of the ancients and the theories of Ptolemy and Copernicus. He rejected the latter theory, but only because at the time that he wrote it had not been substantiated by Galileo. Indeed, Galileo himself continued to teach the Ptolemaic theory as correct for several years after he himself had rejected it. Bacon was apparently unacquainted with the studies of Tycho Brahe and the *New Astronomy* of Kepler. But he did accept some of the theories of his day, as, for instance, the relationship between the moon and the tides, and he endeavored to create a closer bond between formal and physical astronomy.

If Bacon's name suffers in the field of science, it is from his lack of realization that the Renaissance had already become an age of specialization. Had he concentrated upon one field of knowledge, it is probable that he could have radiated the light of a fixed star; but by diversifying his interests, which were more comprehensive than those of his contemporaries, he has given only dim light, but it is that of all the intellectual sky. Unequipped with laboratory facilities, it

is commendable that he should have done anything of a scientific nature. Bacon strove to be a scientific philosopher rather than a philosophical scientist. As a philoscientist he aroused much interest in science, and numbers Robert Boyle and Huyghens among his admirers. Peiresc, friend of Galileo, pays tribute to the genius and approves "the design" of Bacon. Darwin tells us that at the beginning of his own investigation he "worked on true Baconian principles." Diderot and d'Alembert say that any success they might have as a result of publishing their encyclopedia should be attributed to the "extraordinary genius" who wrote a history of what mankind had to learn. Laplace said truly, "For the pursuit of truth, Chancellor Bacon gave us the precept, not the example."

With one of the greatest undertakings of the Renaissance, the translation of the Bible during the early reign of James, Bacon was not immediately connected; but he must have felt himself a part of the enterprise, for several of his intimate friends, including Bishop Andrewes and Sir Henry Savile, were appointed to aid in the revision. The Hampton Court conference which determined to translate the Bible adopted a number of church reforms suggested by Bacon in his tract entitled *Certain Considerations Touching the Better Pacification and Edification of the Church of England*.

Bacon turned even to dramatic art. His masques have much of the spangled prettiness of the courtly drama of the Age of Elizabeth, and many of the speeches have a seasoned philosophy usually lacking in the masque of the period. Largely because Bacon cultivated the drama, the ingenious theory has been advanced that he wrote the plays attributed to Shakespeare; but there can be no doubt of the distinct existence of William Shakespeare and of Francis Bacon. Apart from the fact that the styles of the two men are quite dissimilar, contemporary evidence recognizes each in his own sphere. Among other things, Greene satirizes Shakespeare as an "upstart crow beautified with our feathers." Meres lists Shakespeare's plays and says, "As Plautus and Seneca are accounted the best for comedy and tragedy among the Latins, so Shakespeare among the English is the most excellent in both kinds for the stage." Heminge and Condell, fellow actors of Shakespeare who were remembered by him in his will, edited the first folio edition of his plays. And, best of all perhaps, Ben Jonson knew both men personally. He wrote a poem commemorating Bacon's sixtieth birthday; he praised Bacon's oratory, saying that no man's speech contained "less emptiness, less idleness"; and he paid

tribute to Bacon's philosophy following his fall, saying that "no accident could do harm to virtue, but rather serve to make it manifest." Ben Jonson, furthermore, evaluates Shakespeare's drama in his *Timber*; and, in his poem to the memory of Shakespeare, he refers to the birthplace of the dramatist, which is, of course, quite different from that of Bacon; he says that Shakespeare had "small Latin and less Greek," a statement which could not be applied to Bacon; and he praises Shakespeare both as actor and playwright. It is surprising that in all his prolific writing Bacon makes no reference to his great contemporary.¹

Even a superficial view of Bacon's verse admits of no comparison between him and Shakespeare: his translation from Poseidippus, for all its philosophical richness and dirgelike refrain, is devoid of the lightness of touch of Shakespeare; and his translations of some of the Psalms, made for recreation during an illness not long before his death, are of small literary value. But Bacon made no pretense to distinction as a poet. When he presented a poem of his own composition to Queen Elizabeth on the occasion of her dining with him, he said, "I profess not to be a poet."

Statecraft was the principal occupation of the Renaissance, and in this field Bacon excelled. He was the complete courtier, or, as Plato would put it, the watchdog of the commonwealth. The son and brother as well as the nephew and cousin of courtiers invaluable to Queen Elizabeth, Bacon came naturally by his diplomacy; and his native understanding was sharpened and transformed into the highest art by conflict with the keenest statesmen of his day. The file of state papers of the reign of James has been made voluminous by the pen of Bacon. His auditors in parliament were transfixed by his prophetic oratory. Following the advice of his mother, "Be not speedy of speech nor talk suddenly," he cultivated the art of public speaking to the extent that his mature eloquence commanded the praise of Raleigh, and Ben Jonson said, "No man had their affections more in his power. The fear of every man that heard him was lest he should make an end." Largely through Bacon's curtailment of public expenditure, the state was kept on a fairly sound economic basis. Through his tolerance, religious persecution was avoided in England and church and state were kept in equilibrium. Accepting the theory of the divine origin of the state, Bacon none the less believed the state susceptible of decay; his pruning kept it evergreen. Perhaps no one during his

¹Axson, "Francis Bacon as Man of Letters."

age had a more comprehensive view of international relationships or was more sensitive to danger from abroad than Bacon, and certainly no one was more eager to offer advice, often based upon information gathered especially for him. He, and men like him, built Britannia.

As a lawyer, Bacon's brilliance, close argument, and acumen are attested by his contemporaries. If he had not Coke's facility for citation of precedent, he appreciated more the philosophical concepts of the law. In his knowledge of the reasons for the law as well as the practical needs of the law, Bacon transcends his contemporaries. He regrets that his predecessors who had written of the law had been either philosophers, who "give little light because they are so high," or lawyers, who write "what is received law, and not what ought to be law." Bacon's genius inspired the framing of new and vital laws, thus preventing the stagnation of the legal system; as he puts it, "Laws, not refreshed with new laws, wax sour." His reading on the Statute of Uses and other works are monuments in the history of the law; *Maxims of the Law* is an excellent contribution to a digest of laws. Although it is difficult for some to accept Bacon's evaluation of himself as a judge, "I was the justest judge in England these fifty years," his rules for the control of his court show an attempt to conduct it honorably and efficiently. Had his juridical theory been adhered to, there would today be no need for a separation of law and equity, and justice could be administered inexpensively, expeditiously, and completely.

Bacon's achievement in the infinite fields of knowledge is distinguished, but the most inspiring thing about his life is his splendid quest for knowledge. He would know all and be all. Confined in a Faustian web, he spun the entangling threads into utility.

CHAPTER I

Bacon's Family

SIR Nicholas Bacon, the father of Francis, made his London home at York House, where Henry VIII married Anne Boleyn. York House, formerly the residence of the archbishops of York and situated between the Thames and what is now the Strand, was, like the home of the earl of Surrey, the embodiment of the Renaissance. But it was even less so than the country place of Sir Nicholas at Gorhambury, near St. Albans in Hertfordshire, which he purchased in 1550 and raised from the foundation at a cost of £2,000, exclusive of stone and timber. On the walls of the summerhouse at Gorhambury, Sir Nicholas represented the ancients who had excelled in grammar, arithmetic, logic, music, rhetoric, geometry, and astrology, paying tribute to each of the arts in two Latin verses, translated into two English verses. The banquet-house gardens were celebrated throughout England.

When in July of 1572 Sir Nicholas learned that Elizabeth, during one of her progresses, intended to visit him, he wrote immediately to Cecil asking for suggestions as to the proper method of entertaining the queen, declaring, "No man is more rawe in suche a matter than myselfe." The following June, when the queen visited him at Gorhambury, he presented to her a Venetian cup of gold. Upon Elizabeth's suggestion that she intended to visit him again, Sir Nicholas caused to be erected a gallery with a cloistered substructure, in the center of which was placed a stone statue of Henry VIII in gilt armor. The door by which the queen had entered the gallery was permanently closed after her visit, that no lesser person might sully the threshold over which she had passed. At this time, Elizabeth presented to Sir Nicholas a portrait of herself by Hilliard. In 1577, from the eighteenth through the twenty-third of May, Sir Nicholas again entertained the queen at a cost of nearly six hundred pounds, eighty-five of which

were expended for beer, wine, and ale, and forty for fish. In addition, eight oxen, thirty-four lambs, seventeen dozens of capons, thirty-one dozens of chickens, and sixty-one dozens of rabbits, besides other meat and fowl, were consumed—a feast fit for a queen! Elizabeth, on one of her visits to Gorhambury, said, “My lord, what a little house you have gotten!” Sir Nicholas instantly replied, “Madame, my house is well, but it is you who have made me too great for my house.”

Sir Nicholas was an unpretentious man, his motto being, “*Mediocria firma*,” an axiom which he placed over the entrance to the hall at Gorhambury. His favorite maxim was, “Let us stay a little, that we may have done the sooner.” He spoke of himself as having “a willing harte and mynde,” but “an unable and unweldie bodie”; and Camden refers to him as being “exceeding gross-body’d,” so much so that Elizabeth said that Sir Nicholas’ soul lodged well, meaning in fat. For twenty years, he was keeper of the seal and one of the pillars of the Privy Council. Like Sir Thomas More, he had rare mother-wit counterpoised by sound wisdom, which never failed him; but unlike More and Ben Jonson, he never lost a friend for the sake of a jest. Francis Bacon, in his *Apothegms*, has preserved for us many of his father’s pleasantries, including his answer to the prisoner named Hogg who craved acquittal on the ground of inseparable relationship, “Hog is not Bacon until it is well hanged!”

The family name *Bacon* appears quite commonly throughout England from the thirteenth century. It is probable that Nicholas Bacon’s paternal ancestry was part of a large Suffolk family which was descended from eleventh-century Norman stock and that the name came through the Old French from the Low Latin *baco(n)*, meaning *ham*, the same word appearing in Old High German as *bahho*. *Bacon*, an appellation of the swineherd, may originally have been used also to designate the live hog. As a personal name, it appears in the Old Norse as well as in the Gaelic. As our ancestors appropriated or were given the names of animals, like *lamb*, *hog* (*g*), *bull*, or *fox*, and the names of occupations, so the ancestors of Bacon availed themselves of the name *bacon*. The rebus of the Bacon family is a boar, although the armorial coat of Nicholas Bacon as recorded at Gray’s Inn is, “Gu. on a chief arg. two mullets sable.”

Sir Nicholas Bacon was born in 1509, the year of the accession of Henry VIII, at Chiselhurst, Kent. After an elementary education, probably at the abbey school of Bury St. Edmunds, he attended Corpus Christi College, Cambridge, where he became friendly with William

Cecil, later Lord Burghley, and Matthew Parker, later archbishop of Canterbury. He was awarded the degree of bachelor of arts in 1527. Toward the end of his life, he gave various books to his college as well as a large contribution for the erection of a chapel, and he established six scholarships in order that needy students from a school which he had founded at Redgrave might study at Cambridge, of which he was at one time solicitor. After a brief residence in Paris, followed by study of the law at Gray's Inn, he was admitted to the bar in 1533.

With the revenue resulting from the suppression of the monasteries by Henry VIII, Sir Nicholas advocated the establishment of a school of diplomacy in which young gentlemen of promise might be trained for the foreign service, some of whom were to be sent to embassies and others to remain at home to study official documents. His plan not being adopted, the Inns of Court continued to supply diplomats and statesmen, and Sir Nicholas received a large share of the spoils of the monastic dissolution. As attorney for the Court of Wards and Liveries, an office to which he was appointed in 1546 by Henry VIII and in which he was continued by Edward VI and Mary, he decried to William Cecil, when the latter was appointed master of the Court of Wards in 1561, the lack of mental development of the wards and recommended a cultural curriculum, with emphasis upon music, Greek, Latin, and French, and, from the age of sixteen, military tactics and temporal and civil law.

Sir Nicholas became successively ancient of Gray's Inn in 1536, benchet in 1550, and treasurer in 1552. George Whetstone, who called Sir Nicholas the "keye of the common-weale," says that he established a library at Gray's Inn, but probably not the main library, for this seems to be of more remote origin.

Under Mary, the Catholic queen, Sir Nicholas was not allowed to leave England, but otherwise no restriction was placed upon him. Soon after the accession of Elizabeth, Sir Nicholas was on December 22, 1558, granted the office of Lord Keeper of the Great Seal, and on April 14, 1559, a commission was granted to him "to doe and use himselfe in every thinge and thinges with our said Seale in as lardge and ample manner as our Chauncellor of England might doe, and that he shall haue the same powre and auctoritie in euery behalfe towchinge the premisses, as if he were our Chauncellor."¹

Sir Nicholas was immediately able to be of service to Elizabeth.

¹Collier, *Egerton Papers*, 29-30.

With the convocation of her first parliament on January 25, 1558-1559, he secured recognition of the queen's title and established his belief that the statutory illegitimacy of Elizabeth was remedied by her wearing of the crown and that no repeal of the statute was necessary to legitimate her.

Nicholas Bacon's closest Cambridge friends, immediately after the accession of Elizabeth, obtained strategic positions in the political life of England, William Cecil holding the office of secretary of state and Matthew Parker the archbishopric of Canterbury. Through his friends, it was possible for Sir Nicholas to exercise considerable authority in state and religious affairs. In view of his professed Protestantism, his presiding over a disputation between Protestants and Papists on March 31, 1558-1559, was opposed by the Roman Catholics, who declined to open the discussion, much to his displeasure. In 1572, Sir Nicholas promoted a bill providing for the deportation of all French citizens resident in England because of attacks which were made in London by Roman Catholic Frenchmen upon their Protestant countrymen there, attacks which were incited by the massacre of the Huguenots on St. Bartholomew's Day. The next year, as a result of their partisanism, Sir Nicholas and William Cecil were libeled by their enemies in a work entitled *A Treatise of Treason*. The queen fortunately believed this work to have been instigated by foes of the kingdom and of the established faith, and she commanded the work to be burned.

In 1564, the earl of Leicester, Robert Dudley, accused Sir Nicholas of discussing the succession, of preferring the claims of the house of Suffolk to those of the house of Stuart, and of having thus incited the publication of *A Declaration of the Succession of the Crowne Imperial of England*, ascribed to John Hales.² It was only through the mediation of Cecil that Sir Nicholas retained royal favor. Although Sir Nicholas later sponsored the claim of the House of Stuart, his distrust of Mary Stuart is shown by his exclusion of her claim, believing as he did that she had forfeited it.

The House of Lords in 1566, through its speaker, Nicholas Bacon, requested the queen to insure peace and justice through marriage. A work published in 1570 entitled, *A Discourse of the Queenes Mariage with the Duke of Anjoye, drawen oute by the Lord Keeper*, is naturally ascribed to Sir Nicholas, although there is some doubt as to the authorship. In judicial manner, the author first considers the marriage

²Camden, *Annals*, 110.

and then the objections to the marriage. Sir Walter Mildmay, to whom the work is addressed and whom Roger Ascham has immortalized in *The Schoolmaster*, noted in the margin that the argument does not contemplate religion, but the author says that such divergence of religion would result in peril. After answering possible objections, the advantages of the proposed union with Anjou are set forth, the conclusion being that the commonwealth would be benefited by the marriage. The style is epigrammatic, much like that of Francis Bacon. The earl of Sussex wrote to the queen presenting both sides of the case, and a group of statesmen, with Cecil as head, conferred on the matter and presented the results of their deliberation in the form of argument. During the same year, libelous publications, emanating ostensibly from Scotland, accused Sir Nicholas and other English statesmen of misgovernment. There was a further complication in that the proposed Norfolk rebellion of that year had for its purpose the execution of the queen; the imprisonment of Sir Nicholas, Leicester, and Cecil; the liberation of the duke of Norfolk; and the invasion of the duke of Alva, the ravager of the Netherlands. With unusual discernment, Sir Nicholas in 1577 indicated to the queen where the greatest danger lay: France might be aided by Scotland in aggressive action; Rome might be aided by the disloyal English; and Spain might enter the island from the Netherlands.

Despite this contretemps and others like it, the relationship between Elizabeth and Sir Nicholas was cordial and included frequent exchange of gifts. The lord keeper at New Year's often gave to the queen a purse of gold or silver and the queen gave to him a bowl or a cup of gold or silver.

Nicholas Bacon's steadfast memory and eloquence made him one of England's great judges. Francis' admiration of his father was boundless. It is said that every morning before he began his daily duties he visited the Star Chamber to greet his father. One of the father's ambitions, inherited by his son, was to codify and print the statutes of England.

It is said that the death of Sir Nicholas Bacon in February was caused by the negligence of his barber, who permitted him to go to sleep before an open window. But he had prepared for his death: as early as 1574 he began the construction of his tomb in St. Paul's Cathedral, where he was buried on March 9, 1578-1579, the cost of the funeral alone being nearly a thousand pounds.

The first wife of Sir Nicholas was Jane Fernley of Suffolk. The three sons of this marriage, Nicholas, Nathaniel, and Edward, attended

Gray's Inn, where they became ancients. In 1611 Nicholas had the honor of being created the premier baronet of England. Nathaniel was an artist of some talent. Of the three daughters, Elizabeth by her second marriage became the wife of Sir Henry Neville, Queen Elizabeth's ambassador to Henry IV; and Ann and Jane, the other daughters, also married English knights.

The second wife of Sir Nicholas Bacon was Ann Cooke, daughter of Sir Anthony Cooke, an illustrious Latin scholar and translator and student of Greek who spent much of his time in teaching his four sons and his five daughters; in this teaching he was so successful that he was appointed preceptor to the crown prince, later Edward VI. Sir Anthony's zealous Protestantism, strengthened by hearing at Strassburg the lectures of the Italian reformer Peter Martyr and by his friendship for the German teacher and reformer Johannes von Sturm, was transmitted to his family. His sons, Anthony, Richard, Edward, and William, the last of whom married Frances Grey, cousin to Lady Jane Grey, were less important in the political and literary life of England of their day than were the five daughters, both by their marriages and in their own right. Mildred was the second wife of William Cecil, Lord Burghley, secretary of state for nearly forty years to Queen Elizabeth. Roger Ascham, tutor to the queens Mary and Elizabeth, declared Mildred Cecil and Lady Jane Grey to be the most learned women in England. Margaret became the wife of Sir Ralph Rowlett. Elizabeth married first Sir Thomas Hoby, who was sent to France as ambassador in March 1565-1566 and whom Ascham describes as "very expert in knowledge of divers tongues," his English version of Castiglione's *The Courtier* being the best known of his translations. Elizabeth has perpetuated her skill in languages through the translation from the French of a treatise on the sacrament and through her inscriptions in Greek, Latin, and English on the Westminster Abbey tombs of her family, including that of her second husband, John, Lord Russell. Catherine married Sir Henry Killigrew, ambassador and intermediary between Queen Elizabeth and the queen of Scots, and retainer of the earl of Essex; he was, with his nephew, Thomas Cecil, first son of William Cecil by Mary Cheke, present at the storming of the castle of Edinburgh on May 28, 1573. Sir John Harington, in his translation of Ariosto's *Orlando Furioso*, has preserved for us a few lines in Latin from Catherine to her sister Mildred requesting the intervention of William Cecil to excuse Sir Henry from going on an official mission to France. Their daughter married Sir Henry Neville. Ann, the second daughter of Sir Anthony Cooke, was the mother by

Sir Nicholas Bacon of Anthony and Francis Bacon. Ann, although intensely interested in domestic duties, found time to discuss the leading political and religious questions. Her extraordinary linguistic talent was inherited from her father, as well as her dislike of Roman Catholicism, which seems to have been a family attribute. In her secret communications, she often used the Greek alphabet in writing English words. Ann translated fourteen sermons of Bernardino Ochino, but her greatest contribution to literature is her translation, published in 1564, of *Apologia pro Ecclesia Anglicana*, the first authoritative statement of the respective places of the Church of England and the Church of Rome, by Bishop John Jewel, disciple of Peter Martyr.

Through the marriage of Ann's sister to William Cecil and through the early university friendship of Sir Nicholas and Cecil, followed by their sitting together frequently at council, the Bacons aided in guiding a kingdom, of which Cecil was helmsman. The Bacons were quite conscious of the importance of the position of the Cecils, although there was sometimes disagreement between the two families.

For some while before the death of Queen Mary, Cecil was in secret communication with Princess Elizabeth, upon whose accession he immediately assumed control of the government. He followed well, both expressly and tacitly, the injunction given to him by Elizabeth:

I GIVE you this chardge, that you shall be of my Privie Counseille, and content yourself to take paines for me and my realme. This judgement I have for you, that you will not be corrupted with anie maner of guifte, and that you will be faithfull to the state, and that, without respect of mye private will, you will give me that counseile that you thinck best: and if you shall know anie thinge necessarie to be declared to me of secreasie, you shall shew it to myself onlie, and assure yourself I will not faile to keep taciturnitie therein. And thearfore hearewith I chargde you.³

Cecil had a keen sense of the honor of his post, in which he conducted himself with humility, saying, "I holde it meete for us to aske God's grace to keep us sounde of hearte, who have so much in our powre, and to direct us to the well doinge of all the people, whom it is easie for us to injure and ruine; and herein, my good friendes, the special blessinge seemethe meete to be discretely askede and wisely worne." To maintain his office, Cecil in self-defense supported an elaborate private espionage system, as did the earl of Essex. Living up to his position, Cecil lavished money upon his estates at Theobalds, Wimbledon, Cecil House, and Burleigh, where he entertained the queen more extravagantly than did any of her other subjects. He imported works of sculpture from Venice; and his arboretum, in which

³Harington, *Nugae Antiquae*, I, 68.

he inured foreign trees to the English climate, attracted attention even on the Continent. Cecil was not merely a statesman and a man of action whose temperament would instinctively oppose itself to the contemplative nature of his nephew, Francis Bacon: he was an excellent Greek student, and he wrote Latin, French, and Italian with facility and exactitude. Cecil, it will be recalled, first married Mary, the sister of his close friend and teacher, Sir John Cheke.

When Lady Bacon solicited the favor of Cecil in behalf of her sons, Anthony and Francis, he commended their learning and virtue but said, "I am of less power to do my friends good than the world thinketh, yet they shall not want the intention to do them good." He was, furthermore, naturally more interested in the advancement of his own son, Sir Robert, who was to succeed him as secretary of state.

Anthony and Francis Bacon, moreover, were protégés of Robert Devereux, earl of Essex, who was Sir Robert's ephemeral rival and upon whose two trials Sir Robert had to sit, being accused by Essex at the latter of having said that the Infanta of Spain was the rightful heir to the English throne. There is, in spite of the belief of Anthony Bacon to the contrary, evidence that Sir Robert was friendly, rather than antagonistic, to the sons of Sir Nicholas; indeed, in Francis Bacon's *Apology* written after the execution of Essex, Francis attempts to absolve Sir Robert from blame in connection with that death. As some of the extant letters signed by Sir Robert were addressed by Bacon, there is reason to believe that Francis at one time acted as his secretary. Like his father, Robert was laboriously devoted to his duty; but, unlike his father, he found little time to cultivate the company of learned men. As his father had negotiated with Elizabeth before the death of Mary, so Robert, who also maintained a spy system, prepared for the accession of James. His zeal caused this lampoon to be written as his epitaph:

Here lies, thrown for the worms to eat,
Little bossive Robin, that was so great:
Not Robin Goodfellow, nor Robin Hood,
But Robin, the encloser of Hatfield Wood;
Who seem'd as sent from ugly fate,
To spoil the prince and rob the state:
Owning a mind for dismal ends,
As traps for foes, and tricks for friends.

CHAPTER II

Cambridge and Gray's Inn

ON January 22, 1560-1561 Francis Bacon was born at York House. His youthful mind, volatile as quicksilver, attracted to him the queen, who called him her young lord keeper, and who was told, upon asking him his age, that he was "two years younger than Her Majesty's happy reign." The queen was not only his sovereign; she was also his neighbor. At twilight, he could see the turrets and gargoyles of the royal palace, separated from his birthplace only by hedgerows and quiet lanes, reflected in the Thames where shad fishermen hauled in their silver nets.

Francis was a frail youth, with the elongated head which sometimes indicates genius. His youth was a token of what his maturity would be. Dr. Rawley says of Sir Nicholas and Ann, the parents of Francis: "These being the parents, you may easily imagine what the issue was like to be; having had whatsoever nature or breeding could put into him."

Francis was educated at home during his early years, probably by private tutors, including John Walsall,¹ and by his father and mother. He was early taught Latin and Greek, and possibly Italian, for his mother translated a number of sermons on the predestination and election of God from that language. He was certainly taught French, which was preëminent during the Elizabethan Age. It is not mala-propos to note that the school of diplomacy which Sir Nicholas Bacon projected included the study of Latin and French and public affairs, thus supplanting the mediaevalized curriculum of the universities, and that Francis Bacon, in his essay "Of Custom and Education" advocates the study of language in youth, when "the tone is more pliant to all expressions and sounds," and that, in his *Notes for an Interview with the King*, he has placed under the heading, "For my

¹Heltzel, "Young Francis Bacon's Tutor."

Pen," the subject, "The disposing of wards and generally education of youth." Bacon must, moreover, have been indoctrinated with the fervor of the Nonconformists and an ardent love of sovereign and country.

At the age of twelve, in April 1573, Bacon, sentient, ambitious, and zealous of the acquisition of knowledge, was enrolled at Trinity College, Cambridge, where he shared quarters with his elder brother, Anthony. Thomson, the poet, has said of Bacon:

. . . him for the studious shade
Kind nature formed, deep, comprehensive, clear,
Exact, and elegant.

At Cambridge, Bacon was placed under the mastership of Dr. John Whitgift, a close friend of his father and later archbishop of Canterbury. In the schools there was, at this time, considerable dispute as to the proper pronounciation of Greek, a language to which Bacon applied himself diligently. The regulations at Cambridge required students at all times, except when in their private quarters or during leisure, to speak Hebrew, Greek, or Latin, a requirement which probably offered no difficulty to Bacon.

At the time of his admittance to Trinity College, Bacon was but little younger than his associates, for the university student of the sixteenth century was not required to serve an extended period of apprenticeship to learning before taking advanced work, but only to obtain sufficient equipment to prepare him for further study. Indeed, with the exception of proficiency in ancient languages, the intellectual attainments of the student of the early Elizabethan Age were not great, for those who fostered education were quite willing to follow the narrow road of knowledge that they might enter by the safe gate. Self-abnegation, and not self-realization, was the ideal. Under the influence of an Aristotle distorted and debased by the mediaevalists, students argued on subtly speculative questions like the supernatural qualities of angels and other celestial beings, not questioning the existence of those beings. The pagan seed of the Renaissance, warmed by Nature, had been planted and was ready to burgeon, but the rarefied air of the schools prevented its fructification.

The earliest disappointment of a youth ordinarily comes during the first period of residence at a university, when the order which he had considered established is found to change. In 1574, the new star which had appeared in 1572 in Cassiopeia, a region which Aristotle had considered unalterable, was extinguished, as though in natural protest to the dogma of the Greek philosopher. Bacon, with the keen mind of the undergraduate, objected to the stagnation of the teaching

of his day and to the blind adherence to Aristotle. But he was not alone in doing so. Had not his father done likewise; had not Sir Thomas More and Erasmus looked beyond the dark horizon; had not Chaucer, two hundred years before, smiled sagaciously at his clerk of Oxford with his

Twenty bokes, clad in blak or reed,
Of Aristotle and his philosophye?

Bacon's disregard for existing educational practices is but another manifestation of the yearning of the advanced human mind for more than it possesses, without which desire there could be no progress. In all ages many great minds, and often lesser ones, have arraigned the educational systems under which they have studied: Lyly says of his Oxford education, "I tyred at a drie breast three years;" Milton in his *Tractate of Education* inveighs against the tradition of his day; Gray says that the prophet spoke of Cambridge when he said that "the wild beasts of the desert shall dwell there"; Gibbon lamented bitterly the incompetence of Oxford; and the poverty-stricken Carlyle called the University of Edinburgh "the worst of all hitherto discovered Universities," excepting, however, those of England and of Spain. Bacon, although dauntless, was not unjustified in his condemnation of blindly following the method of Aristotle, whom he admired but whose methods he considered "barren of the production of works for the benefit of the life of man." In "The Student's Prayer," Bacon invokes the Deity "to open to us new refreshments out of the fountains of his goodness, for the alleviating of our miseries."

Bacon's censure of the existing state of education, found in the *Advancement of Learning*, is the indictment of a superior mind of a system instituted for the average mind. Elizabethan education, like that of today, seems to have been designed to produce good followers, not leaders, and to have been dominated by religion and politics, and by extreme theory or excessive utility. Although Bacon's university study, which was terminated in 1575, was unsatisfying, he, believing that "founders of lectures do water," in his will endowed two lectureships, "in either the universities," bequeathed approximately three hundred pounds to twenty-five needy students at the universities, and provided that bound copies of his own works be placed in his college library.

Education at Gray's Inn must have been more agreeable to the young philosopher than that at Cambridge University, for, although the four Inns of Court were nominally the legal universities of England, they were, in effect, the training schools for courtiers, in whose ranks Bacon thought that he might be of service to the state and also obtain

the competence which would enable him to devote himself to philosophy. As the right to study the law at the universities was denied by the Church, lawyers formed guilds in London for the study, teaching, and practice of the law. To the law schools, or Inns of Court, were attached subsidiary institutions, called Inns of Chancery. Freed from the sterility of the study of logic and metaphysics at the university, Bacon's development began.

Sir Nicholas Bacon, having studied law at Gray's Inn, sent all five of his sons there: Nicholas, Nathaniel, and Edward, by his first marriage, and Anthony and Francis by his second. Anthony and Francis were admitted *de societate magistrorum* on June 27, 1576. After 1580, they occupied their father's former chambers at No. 1 Coney Court, later called Gray's Inn Square, which, together with the library, over which Francis and Anthony were given permission to build in 1588, were destroyed by fire in 1684, after they had been occupied by several generations of Bacons. Richard Barker, the tutor to Anthony and Francis, lived at No. 3 Daniel's Buildings in 1587. At a later time, five buildings at Gray's Inn were called "Verulam Buildings" in honor of Francis Bacon, and in 1873 a scholarship bearing his name was founded at Gray's Inn. In his testament, Bacon directs the sale of the lease of three floors of the building, the ground floor and the third and fourth stories—the other space being occupied by the library and reader's chamber—for the relief of poor students at Oxford and Cambridge. Bacon is said to have founded the library at Gray's Inn, but the records of the institution indicate that a library, in those days comprising very few volumes, existed for more than twenty years before Bacon was enrolled as a student.

On November 21, 1576, Francis and Anthony were made members of the "Grand Company" and were not bound to any vacations; and, in 1580, Francis, because of his health, was granted special dispensation to choose his diet and was permitted not to keep commons.

On June 27, 1582, Bacon became a barrister and is described, in 1583, as being seen abroad in London in his "utter barrister's habit"; in 1586, he was made a bencher, which entitled him to plead in the Westminster courts; in 1588, Lent reader, or lecturer; and, in 1600, double Lent reader.

But all was not study or practice of the law. Bacon took time to exercise his body. "God Almighty first planted a garden, and, indeed, it is the purest of human pleasures; it is the greatest refreshment to the spirits of man . . .," wrote Bacon, in his essay "Of Gardens," as he sat in his chambers at Gray's Inn. This Inn overlooked the flowers and trees which he, aided by Roger Wilbraham, reader at Gray's Inn

and later solicitor-general of Ireland and master of requests, had persuaded his colleagues to permit him to plant. The flowers and trees had been planted in friendly rivalry with the members of Lincoln's Inn, who had transformed their coney garth, or rabbit warren, into a garden. Although Bacon, in his essay, advocates using at least thirty acres for a garden, divided into three parts, a green, a heath, and a main garden, he was naturally confined to smaller space at Gray's Inn. Records of expenditure for his work between 1597 and 1600 have been preserved. In 1597, it was ordered that £7 15s. 4d. be granted to him in reimbursement for moneys spent for planting elm trees in the walks; and, in 1598, he was granted permission, with Mr. Wilbraham, to replace decayed elm trees by young ones, as well as to make a new rail and to plant a quickset hedge on the upper walk, being limited to the expenditure of £70. It is significant that the essay "Of Gardens" suggests the planting of an encompassing hedge four feet in height. For the decoration of the walks, Bacon was granted, in 1600, the sum of £60 6s. 8d. For this purpose, 71 elm trees, 8 birch trees, 16 cherry trees, woodbine, eglantine, 125 standards of roses, "pincks, violets, and primroses," and "cuttings of vynes" were used. For the laying out of walks and gardens, more than £100 was paid, or about \$5,000 in modern values. In addition, £6 13s. 4d. was expended for seats. A mound and a summerhouse, erected in 1609 and dedicated to Jeremy Bettenham, whose wit survives in Bacon's *Apothegms*, completed Bacon's decoration of the reclaimed areas. According to tradition, Bacon planted with his own hands a catalpa tree which had been given to him by Sir Walter Raleigh, with whom he had a long conversation in Gray's Inn walks immediately before Raleigh's last voyage. Bacon created such beauty and privacy at Gray's Inn that his gardens became both famous and infamous during the succeeding century.

At Gray's Inn, Bacon was to spend much of the remainder of his life. In 1592, however, when a pestilential distemper broke out, he fled to Twickenham Park, then the home of his brother Edward, where he continued his studies. At Gray's, he lived as a student, endeavoring to know himself and to solve the enigmas of the universe. Here he lived in the height of his glory, a grandeur which no other has exceeded through the pursuit of the law; and here he returned, traduced by the world, to find solace in his first love, philosophy. In the placidity of the Inns of Court, Bacon had the atmosphere for meditation which he needed to make him develop into a philosopher-lawyer, a type which the world, overburdened with legal sophists, has known too infrequently. There is no better training for the prospective

philosopher than the study of the law, harmonizing as it does the various inconsistencies which apparently are irreconcilable and reducing to a system, for the governance of mankind, the best philosophic conceptions. There is no better training for the lawyer than the study of philosophy, which expands man's horizon by determining the reasons for the law and by indicating the means of development of the law. Philosophy precedes man's religion. It may be consonant or discordant with the spirit of the times; it may introduce more extensive views than are admitted by a conventionalized religion; it may be devoid of the supernatural or it may be wholly supernatural. The law follows man's religion, establishing regulatory measures modeled upon religion. Rarely is man endowed with the philosophic spirit, the devout mind, and the legal acumen which Bacon possessed. When these elements are well equilibrated, much may be expected of the possessor; when the balance is destroyed, the ruin must be great.

CHAPTER III

The Youthful Diplomat

ENGLAND has prevented stagnation of her political waters by sending abroad her future leaders, in their youth, for training in foreign realms. The custom is an old one. Anglo-Saxon kings often had their sons brought up in the courts of friendly neighboring sovereigns. The sixteenth-century nobility, accepting this tradition, considered the grand tour an essential complement to the formal education of youth. Italy and France, where the Renaissance luxuriated, were especially suited to the impassible Northerner for the perfection of grace and culture and sagacity, as well as sound training in statecraft. The eldest boy of Sir William Cecil, like many other eldest English sons, had gone to France to complete his education. His brother Robert likewise spent two years of his youth in France; and, in 1579, his cousin, Anthony Bacon, at the suggestion of his uncle, made a continental tour to secure political information. When, therefore, Sir Amias Paulet, recently knighted by Elizabeth, left in September 1576 to fill the post of ambassador to France, Sir Nicholas Bacon, advocating as he did in his proposed training-school for courtiers, the study of diplomacy at foreign embassies, sent Francis, then but fifteen, as an attaché to the English embassy at Paris.

Elizabeth was judicious in selecting as her representative, in a religion-rent country, a fervid Puritan, who had repressed Roman Catholicism and had sheltered Huguenot refugees from France in the Isle of Jersey, of which he had been governor since 1571. He later served Elizabeth ably—perhaps too well in so far as his personal reputation is concerned—as keeper of the person, and many of the jewels, of Mary, queen of Scots. As ambassador at a critical time, Paulet succeeded Dr. Valentine Dale, who in 1585 was appointed with Dr. Julius Caesar, later the colleague on the bench of Francis Bacon, to have admiralty jurisdiction during a vacancy in the office of Lord High Admiral of England.

Only two years before Bacon reached France, the death of Charles IX had occurred. According to report, he had fired upon his Protestant subjects, crying, "Kill them all!" thus precipitating the massacre on St. Bartholomew's Day, August 24, 1572, in which about 40,000 persons were killed. At the time that Bacon arrived on the Continent, five religious wars had enfeebled France, the nucleus of the troubled area. To the north, in England, Scotland, Scandinavia, and the Low Countries, Protestantism predominated; to the south, in Italy, Spain, and Portugal, Catholicism was victorious. In Germany and Switzerland a satisfactory geographic division had been made between Protestants and Catholics. It was, then, France which was the religious battlefield. There was, moreover, in this torn country a tripartite division of the people. The Catholics were championed by the Guises, who had covered the waters of the Loire with corpses of their adversaries. The Protestants were led by the Bourbons. Within these divisions, furthermore, were two groups, one of which supported the existing regime unqualifiedly, the other being watchful to criticize adversely those in power and to demand freedom from molestation in the religion which they might choose. The third party, the *Politiques*, organized by Catherine de' Medici, the queen-mother, primarily to follow her will and secondarily to show fidelity to the crown, was fundamentally Catholic, but tolerant enough to grant to the Protestants such privileges as might prevent danger to the state. Through a keen bit of artifice in an effort to strengthen himself politically, the duke of Alençon, whom Henry of Navarre called, "A double heart, a soul as malign and deformed as his body," assumed leadership of the *Politiques*. With his usual dissimulation, Alençon during the illness of his brother, Charles IX, conspired to seize the government, and pretended to be sympathetic with the Huguenots, although he loathed them, saying, "That Protestant canaille is not worth the drowning." Surely his sister Margaret, by whose marriage with Henry of Navarre a vain hope had been entertained by King Charles IX to reconcile the Catholics and the Protestants, knew his character, or lack thereof, when she said, "If all treachery were to be banished from the face of the earth, Alençon would be able to repeople it."

Charles IX, overcome with remorse for his persecution of the Huguenots, died on May 30, 1574, leaving his brother Henry, duke of Anjou, who had been elected king of Poland on May 9, 1573, as his successor. Henry III, although he left Cracow in June, did not arrive until September in Lyons, where he was met by his brother, the duke of Alençon, and his brother-in-law, Henry of Navarre. Upon learning of the intrigue of his brother Alençon, Henry III attempted to

assassinate him, but unsuccessfully. The Machiavellian doctrine of self-preservation at all costs was accepted by most of the sovereigns of the sixteenth century. No consistent action was to be expected of Henry, for his was the phlegmatism and the emotionalism sated by depraved passions. Then in May 1576 peace was made at Beaulieu through the mediation of Alençon, for whom it was called the "Peace of Monsieur," and by the terms of which he obtained Anjou, thereafter calling himself the duke of Anjou. Henry, determined to have peace in any event, granted freedom of worship to the Protestants, as well as judicial privileges and liberty to establish schools, to perform marriages, and to administer the sacrament. Such a concession to the Protestants could result only in antagonizing the Catholics, who declined to engage in their usual jubilant demonstrations in honor of the king. The Catholics showed their strength by excluding all Protestants except one from the States General convening at Blois in December 1576, in which they demanded that thirty-six of their number be allowed to sit in the royal council. They formed through the throne-eyed Henry of Guise an organization called the Holy League for the support of the Catholic Church. Although Henry of Guise was intended to be the head of the league, Henry III declared himself to be its chief and opened warfare against the Calvinists. Such vacillation seemed to be his only hope and that of the queen-mother Catherine, but it succeeded only slightly, Henry being glad in 1577 to make the Peace of Bergerac, or Poitiers, with the Huguenots, to whom, by way of propitiation, a more comprehensive liberty was granted. All attempts at peace failed.

There is little wonder that the mind of a lad like Bacon, accustomed to stable government and tranquility, should have been so much impressed that upon his return to England he should write, evidently between 1580 and 1582—if, indeed, he wrote it at all—his *Notes on the Present State of Christendom*. In this work the existing condition in all the major countries of Europe is expressed with terseness. England and Scotland are dismissed with the brief statement that they are, "God be thanked, quite reformed." In France, the condition of the church is said to depend upon the life of Henry III, who is described as being "of a weak constitution, full of infirmities, not likely to have long life, and quite out of hope of any issue." Although the style is succinct and perspicuous and contains many statements similar to those of the *New Atlantis*, like that describing the duke of Tuscany, whose common exercise is "in distillations, and in trying of conclusions," this work on the basis of internal evidence exclusively may not be attributed to Bacon. Not without some

uncertainty it was placed in the collection of Stephens published in 1734, after his death. The Harleian manuscript is not in the hand of Francis Bacon, although a few of the insertions are in a hand like that of Anthony Bacon, who was more interested in political affairs in Europe than was Francis. The notes may even have been made by Sir Francis Walsingham's secretary, Nicholas Faunt, who spent the year 1581 in travel on the Continent.

While he was in Paris, Bacon continued to experiment with sound, an interest that we know was active when he was at Cambridge, for he tells in Century II of his *Natural History* of the conduction of sound by an iron pillar at Trinity College. In Century III, he describes a chapel which he visited near the town of Pont-Charenton, several miles from Paris, in which he heard the human voice returned "thirteen several times," recalling the "ear of Dionysius" in Italy, which is said to return a thousand words for one. In his usual pleasant manner, Bacon lightens scientific information by telling, in connection with his statement concerning the failure of an echo to return certain letters, especially *s*, of an old Parisian who noted that the word *Satan* is returned *va t'en*, meaning *avoid*. In the same manner, he speaks in Century VIII of a church in the Italian city, Ticinum, which returns the voice twelve or thirteen times, saying, "The echo fadeth, and dieth by little and little, as the echo at Pont-Charenton doth." It would seem, therefore, that during his continental trip, Bacon visited Italy, which, if true, may lend some color to his authorship of *Notes on the Present State of Christendom*. Bacon used this study of sound in the *New Atlantis*, in which he says, "We have also means to convey sounds in trunks and pipes, in strange lines and distances." The subject of sound is treated in detail by Bacon in the *History and First Inquisition of Sound and Hearing*.

While in France, Bacon was interested also in the art of secret writing and reading, an art used frequently in official correspondence and dedicated, as Bacon says, "to the secrets of princes." In Book VI of *De Augmentis*, Bacon gives a cipher example which he devised in Paris in his youth; the specimen is very simple, involving the use of five times as many letters in the infolding writing as in the secret message. In much the same terms, but omitting the example, he discusses ciphers in Book II of his work *Of the Proficiency and Advancement of Learning Divine and Humane*. The general use of the cipher in state correspondence is indicated by the fact that Thomas Morgan, the agent in France of Mary, queen of Scots, and the conspirator with William Parry, friend of Anthony Bacon, to murder Queen Elizabeth, constructed about forty different ciphers by means

of which Mary corresponded with the Pope and her fellow Catholics at home and abroad.

While in France, Bacon visited Blois, Tours, and Poitiers. His chaplain and biographer, Dr. William Rawley, says that Bacon was entrusted with a message to Elizabeth, a service which he performed with great satisfaction. Sir Nicholas Bacon, who had designed his son for statecraft, must have been gratified with the three extant undated letters, one of which is from Poitiers, written by Paulet to him commending his son and reporting on his health. Another of these letters compliments the service of Mr. Duncumbe, then returning to England, under whose governance Francis was evidently placed while in France. In his *History of Life and Death*, Bacon repeats an invective against old age which was told to him by a young gentleman in Poitiers, a city which Bacon was probably visiting at the time of the meeting of the States General.

Bacon writes in *Sylva Sylvarum* that while he was in Paris in February 1578-1579, he dreamed that his father's house in the country was plastered with black mortar. The premonition and the fact blended. Sir Nicholas died a few days after the dream, and his son's career as a diplomat was brought to a close.

CHAPTER IV

Gray's Inn Again

"WHY then . . . you have killed me with kindness," said old Lord Keeper Bacon to his barber who had failed to awaken him from a sleep, while he sat beside an open window, as his attendant was rubbing and combing his head. The Lord Keeper, as the story goes in Bacon's *Apothegms* and in Dr. Rawley's *Life*, died a few days later, on February 20, 1578-1579, leaving his considerable fortune to be divided among his five sons. Although he had set aside a large sum of money for the purchase of land for the maintenance of his youngest son, the purchase was never effected, and Francis took only the share allowed by the law.

His expectation of financial independence having failed, Bacon had to make his own track through life. Unconvincing he is when he says that his great desire was to follow exclusively the path of study. The desire for the contemplative life and the yearning for active life were both strong in him, as they are in every young man. A diplomatic post of importance was out of the question for one so young; service of this type would, moreover, take him from the realm in which he might, he believed in all youthful immodesty, be of greatest service. A post at the court would please him, but there was little chance that Elizabeth would become enamored of his "proportionable physique," as she had of that of many another courtier, and give him spectacular service, in spite of the fact that he had just returned with a letter from the ambassador to France saying that he "would prove a very able and sufficient subject to do her Highness good and acceptable service." The law, the main gate to fame, was still open, but the journey to the throne-room by this means was a long one; nevertheless, he decided to set out on the pilgrimage.

The Inns of Court, during the Age of Elizabeth, offered preparation for life at court. In no sense were they strictly professional schools as they are today. When Bacon determined, therefore, to return to

Gray's Inn, to which he had been "admitted of the house" in 1575, he in no way abandoned his intention of serving at court, for the study of the law was the lowest step to the dais, and one which a mere boy of eighteen would first ascend in order to gain the attention of the queen. Bacon, it would seem, studied the law for the definite purpose of receiving court preferment, and not primarily to make a livelihood, although, canny as he was, he wished to take not the direct path to the law nor the direct path to royal service, but the main highway which might take him half the way to either. At the crossroad he would choose the one or the other, dependent upon which offered the more sunshine. Manifestly, Bacon's principal desire for the present was to attain prominence in statesmanship. Contemplation, he knew, must rest in abeyance until activity should bring success, but activity might come either as a private attorney or as a courtier, especially as a courtier performing judicial duties.

The first extant letters of importance that Bacon wrote upon his return from France are two, written from Gray's Inn the same day, September 16, 1580. One is to his aunt, Lady Burghley, avowing, "I am not yet greatly perfect in ceremonies of court," but urging her to act as his advocate with her husband, Lord Burghley, in his suit for a place at court, evidently a legal position. The other is a letter to Burghley, both eloquent and adulatory. With his usual personal elusiveness, always a token of promise in the young lawyer, he covertly refers to his having pursued the study of the law at a youthful age, forsaking perhaps even greater success in more congenial work. He goes on to say that his only hope of obtaining the office, evidently a high one for a boy of nineteen, rests upon the good will of his uncle, whose service is indistinguishable from that of God and his prince. A supplementary letter to Burghley a month later, October 18, 1580, wisely feigns inability to set forth his attainments and emphasizes his father's service to the crown, the latter being apparently Francis' chief claim to the position.

After only three years of formal and uninterrupted study of the law, Bacon, probably through the intercession of his uncle, was on June 27, 1582, admitted an utter barrister. On the last of May of 1583, he offended Nicholas Faunt, secretary to Walsingham, by being preoccupied when Faunt called at Gray's Inn. Although Bacon was not at leisure to see his caller, he requested, through his servant, information about Anthony, who, during May of the previous year, had gone to the Continent. Faunt, his dignity offended, says that he was not "so simple to say all to a boy at the door, his master being within."

Whether the gushing of Faunt wearied Bacon it is impossible to say; nor can it be determined whether he had surrendered himself to philosophic musing, but it is known that, at about this time, he was engaged upon his *Temporis Partus Maximus*. Bacon refers to the *Greatest Birth of Time* in a letter to Father Fulgenzio, undated but written after 1622 because of the mention in the letter of *The History of Henry VIII*: "I remember that about forty years ago I composed a juvenile work about these things, which with great confidence and a pompous title, I called *Temporis Partum Maximum*." If, as is often supposed because of similarity of title, the *Temporis Partus Maximus*, which otherwise is lost, is the same as the *Temporis Partus Masculus*, we have in this work one of the components of the *Instauratio Magna*. This work is preceded by a short prayer, entitled in translation from the Latin, "The Masculine Birth of Time; or, The Great Instauration of Man's Dominion over the Universe," pleading for the opening of "new sources of refreshment from the fountains of good, for the alleviation of our sorrows" and expressing the hope that the greater natural light might not create "any infidelity or darkness . . . in our minds towards the mysteries of God."

In his youth, as well as in his age, Bacon shows a duad of impulses. Sometimes he is predominantly the man of meditation; sometimes he is preponderantly the man of activity. In him, the two seem never to have been harmonized completely. Usually Bacon says that the pursuit of human wisdom is his greatest delight, but the statement is vitiated by its frequent appearance in letters of application for public office. None the less, he had the diplomacy of the statesman and the panoramic vision of the philosopher.

There is extant in Bacon's handwriting¹ a draft of a letter of attorney, evidently made for Anthony's execution to enable his agents to transact his business, including the sale of his land and the collection and investment of his money, while he remained on the Continent, as well as a bond to save harmless his attorneys for acting in such capacity. Specific memoranda follow the forms, including the direction that Anthony should be certain to seal the instruments and a reminder to Anthony that the authority sent to Lady Bacon was invalid because of lack of seal, and noting, with legal astuteness, that, if there were to be more than two attorneys, the letter of attorney should run "to them or any two of them." Francis suggests to his brother the names of persons to be considered as attorneys, including his half-brother "Nathanaell" and Mr. Sergeant Puckering. He sug-

¹Lambeth MSS 653, 113.

gests also, with a bit of malice prepense, "Mr. Faunt, if he be not too mean." Now it is possible to understand why Francis turned Mr. Faunt from his door: because of his prying and prattling Lady Bacon advised Anthony to seal his letters. Bacon says that he would rather be spared from acting as one of Anthony's attorneys, but says, "I will afford any care in it." "My mother, through passion and grief," he tells Anthony, probably because of Anthony's fraternizing abroad with Papists, "can scant endure to intermeddle in any your business."

Bacon's foreign service must have aroused a sense of importance in the English lad, but his first realization of power in public office came when he sat for Malcombe, Dorsetshire, in the parliament which met on November 23, 1584. He was returned also for Gatton, upon the nomination of his uncle, William Cecil. England at this time was fast consuming herself with internal strife aroused by difference in belief. All the benefit that had been derived from the establishment of the Church of England was being dissipated, for the Papists were bitterly counterpoised against the Protestants. The Jesuits were causing disturbance within the Catholic ranks, and the schisms within Protestantism were increasing. The activities of the Calvinists were superseded by those of the Nonconformists, who had firmly established themselves as a political unit, with Leicester, Cartwright, and Travers as its leaders. To the new party, Elizabeth defiantly opposed herself, despite its power in parliament. Wisely, Elizabeth placed Archbishop John Whitgift, who had formerly headed Trinity College and who had taught Bacon, in charge of quieting the dissenters. Despite the fact that Fuller calls Whitgift "the worthiest man that ever the English hierarchy did enjoy," his vigorous proceedings against the reformers resulted in investigation in the Commons and formal objection to the queen. At this time, Ann Bacon wrote a penetrating letter to her brother-in-law urging that the Nonconformists be allowed "gravely and moderately to be heard to defend their right and good cause."

Vexatious questions of this sort were, then, discussed while Bacon sat in parliament. We are told by Sir Simonds D'Ewes that Bacon was one of a committee by which a bill "for redress of disorders in Common Informers" was considered in December 1584. In the following March, he made a speech on "a bill against fraudulent means used to defeat wardships, liveries, and premier seisins." Only a few stray notes have lived through the years concerning this speech, but we can learn much of the personalities of the speaker, then but twenty-three, and of Recorder William Fleetwood, who made the notes, consisting of five sentences. Bacon said, by way of introduction, "Many rather mislike of jealousy, and are timorous of that they conceive not.

I will open plainly to you that this Bill is hard in some points." With a bit of mother-malice, but with sound sense, Fleetwood wrote, "If he had as substantially answered it as he confessed it plainly." Fleetwood, like many another contemporary of Bacon, must have grown a bit weary of hearing Bacon admit that he was his father's son. When Bacon spoke of the queen as being "worthy to be respected, for his father had received by her ability to leave a fifth son to live upon: but that is nothing to the matter," Fleetwood wrote contemptuously, "Then you should have let it alone." This speech, showing the natural antagonism of an elderly colleague for the vanity and rhetorical brilliance of a young member of the House, reveals the better nature of neither.

At about this time, probably either in 1584 or early 1585, a letter, which on the basis of both external and internal evidence seems to have been written by Bacon, but which on poorer evidence has been assigned to Burghley, was received by Queen Elizabeth, advising her of the best method to subdue the obstreperous Roman Catholics in the realm. "Strong" and "factious," Bacon calls them, because in numbers they might compose a large army and because they are discontent. He suggests that they be made to take an oath, "that whosoever would not bear arms against all foreign princes, and namely the Pope, that should any way invade your Majesty's dominions, he should be a traitor." With moderation, he advises that it is dangerous to permit the bishops to drive the Papists from their cures and rejects execution, for the Papist's head is like that of the Hydra, "upon one cut off, seven grow up;" he, therefore, desires a diminution of the number only through preaching. With discernment, Bacon suggests that the youth be educated in conformity with the queen's beliefs and interests; that public offices be granted only to those who follow the recognized religious doctrine; that Papistical landlords be enjoined not to molest their Protestant tenants; that the military force be composed only of Protestants; and that none be allowed to keep munitions in his house unless he have received the orthodox communion. The letter continues with advice concerning danger that may be expected from foreign nations. Of France, he says, a friend may be made through alliance to afford protection from the common enemy; or, if this be not feasible, France may be muzzled "that he shall have little power to bite you." Although trouble might be apprehended from Scotland, no immediate or great difficulty need be feared, for no foreign power will help Scotland while it embraces Protestantism. Spain alone, with its ardent Catholicism and a king,

Philip, beloved of the Catholics in England, he says, is a formidable enemy, but he suggests that, in order to weaken the king of Spain, the duke of Parma might be won over, or antagonism might be created between him and King Philip II. An astute letter this is for a young man of only twenty-four to write. The latter part of the work seems related in essence to the *Notes on the Present State of Christendom*. Elizabeth, ever zealous of international information and advice, probably welcomed the letter, but not yet was the royal smile of favor to be bestowed upon Bacon.

The application for a position, probably of a legal nature, which Bacon had made to the queen through his uncle had long remained in abeyance when, on August 25, 1585, he wrote to Elizabeth's secretary, Sir Francis Walsingham, remonstrating against an objection which had evidently been made to his application because of his age. Bacon says, "I think the objection of my years will wear away with the length of my suit." Failure to arrive at a decision as to the appointment, Bacon says, prevents his entering the general practice of the law, which he plans to do if her Majesty fails to grant his suit, for, he declares, "living out of action will wear" his credit. On May 6, 1586, Bacon wrote to Burghley to repudiate a charge which had been made to his uncle that he was arrogant—a charge that had better been left undenied. "Bashful," Bacon calls himself in disavowing the truth of the statement, adding sophistically that "arrogancy and overweening is so far from my nature, as if I think well of myself in anything it is in this that I am free from that vice"—a neat turn of phrase, but one which admits the truth of the charge. Bacon's arrogance, particularly as a young man, seems more genuine than his humility. In the same letter, Bacon refers to having sought "an ease in coming within Bars," indicating that he probably had appealed to his uncle to have him admitted an inner barrister, entitling him to practice in the courts at Westminster before the lapse of the usual five years required for advancement from the status of utter barrister to that of inner barrister.

At a Gray's Inn pension which was convened on February 10, 1585-1586, Bacon was given the right "to have place with the Readers at the Readers' table; but not to have any voice in pension, nor to win ancienty of any that was his ancient, or should read before him." A record in Burghley's writing of the special privileges granted to Bacon, probably through his uncle's intervention, has been preserved:

Specially admitted to be out of commons; sending for beer, victuals, wine.

Admitted of the Grand Company, whereby he hath won ancienty of forty, being but of three years' continuance.

Utter Barrister upon three years' study.

Admitted to the high table, where none are but Readers.²

In the same year, Bacon was made a bencher, and the desire which he expressed in the letter to Burghley on May 6, 1586, was fulfilled. But only temporarily could a passion for ambition be satisfied. With mere courtiers being appointed to the highest offices in the land, like Sir Christopher Hatton, who, in 1587, was made lord chancellor to the distaste of the attorneys, the future seemed bright for one of high birth, attractive personality, training in the law, and a penchant for the all-encompassing philosophy.

But the battle of queens was on. "As the end is, so is the beginning," applies aptly to Mary, queen of Scots, whose martyrdom for Catholicism (to accept her own reason for her death) ennobles her entire life. For Mary, parliament was laying its nets when, in the twenty-seventh year of Elizabeth's reign, 1585, both houses passed a law putting spikes in a provision to protect Elizabeth's person, providing that "all her Highness' subjects shall and may lawfully, by virtue of this Act and her Majesty's direction in that behalf, by all forcible and possible means pursue to death every of such wicked persons, by whom or by whose means, assent, or privity, any such invasion or rebellion shall be in form aforesaid denounced to have been made, or such wicked act attempted." It is certain that upon Mary rested the hope of the Catholics of restoring the British Isles to the pristine faith. However, many are inclined to associate her with Sir Thomas More and other martyrs who suffered death for religious belief and forget that she at one time renounced Catholicism. It is true that she abjured her faith for the best, or worst, of reasons, love—love of Bothwell—but she, at the same time, for this love, yielded to persuasion to prohibit the holding of Catholic services throughout Scotland, despite her many oaths to the pope that she would restore Scotland to Catholicism. Statesmanship and Christianity found a fair battleground in the heart of Mary, but even Catholicism had to be subordinated to statecraft. Losing the crown of France upon the death of Francis II, her ambition knew no limits in establishing and maintaining herself as queen of Scotland. Her relationship with Darnley constrained her political activities and made her an unhappy wife. Both her sovereignty and her womanhood were challenged by this tie. Upon his death, perhaps by her connivance, her femininity dominated her. Her vacillation between Elizabeth and the pope is

²Lansdowne MSS. 51.6, cited Spedding, *L. L.*, I, 65.

explained by the ascendancy of her political zeal. Her conflicts, like those of Elizabeth, were also both public and personal, and the glow of her personal love endears her to us. Her willingness, even eagerness perhaps, to face death for God and "his Church, Catholic, Apostolic, and Roman," makes her eternal. Had Elizabeth been as normal and as feminine and had her death been as romantic, men might now love her memory more.

Mary was to Elizabeth a real enemy. Elizabeth's own illegitimacy and Mary's claim to the English throne as a great-granddaughter of Henry VII made her a dangerous enemy. Elizabeth's subtlety and duplicity in dealing with Mary may perhaps be accounted for by her recognition of Mary's superior claim. She may have considered more carefully the signing of Mary's death warrant because of the relationship between them; and she may also have recalled that, a few years earlier, Mary Tudor, in a similar position, had shown clemency to her. Secretly, Elizabeth must have hoped that one of her subjects would make use of the privilege granted under the statute to protect her life and effectively dispose of her rival.

On "the Great Cause," Bacon, sitting for Taunton in Somersetshire, spoke in the parliament which met on October 29, 1586. An account of the tremulous emotion which he experienced and transmitted to his audience in speaking in behalf of the execution of the enemy of the realm has not been preserved, but we may know from his nature and his other writings that his sponsoring of the popular cause was inevitable, for it was clear that Mary had either been privy to a conspiracy which had as its purpose the conquest of England, or such a conspiracy had been contrived in her behalf. At least, the terms of the statute had been violated. To Bacon, as to any young lawyer—more zealous always than the old lawyer in rigorously maintaining the letter of the law—the punishment provided by the statute must be effected. What influence Bacon's argument had upon the House is unknown, but both houses unanimously ratified the sentence of the noblemen and privy councilors who had been appointed to try the case.

The next meeting of parliament, held from February 22 to March 23, 1586-1587, considered particularly the question of giving aid to the Netherlands against Spain. Bacon was appointed one of a committee of more than thirty to consider the granting of "a loan or benevolence to be offered to her Majesty." The House of Lords declined to act in the matter of granting a benevolence to Elizabeth to

aid the Netherlands, whereupon the Commons designated a committee to make an offer to the queen, which seems to have been declined graciously.

Because of Bacon's interest in international affairs it is inviting to think that a tract entitled *A Brief Discourse Touching the Low Countries, the King of Spain, the King of Scots, the French King, and Queen Elizabeth, with Some Other Remarkable Passages of State*, attributed by some to Bacon, was actually written by him. This work, dealing with dangers from foreign countries and the unprepared condition of England for warfare, cannot, however, on the basis of internal evidence, be ascribed to Bacon, although, stirred as he was by events abroad, it is the sort of work that he would write, just as he probably wrote the letter of advice to Queen Elizabeth concerning the Papists within the realm.

A tempestuous sea proves the worth of the sailor, a stormy nation the worth of the statesman. The summer of 1588, with the Spanish Armada despoiled and scattered by English ships and Hebridean storms, brought new hope and new fear to England—hope that the Armada had been vanquished and fear that it was really invincible. The new danger brought new opportunity to Bacon. Philosopher though he already was, opportunist he was also: fixed principle often becomes plastic with the admixture of circumstance, especially when ambition and statecraft are also ingredients. The law of the land itself arises out of the fact, or, as the legal maxim goes, *Ex facto jus oritur*. Opportunity is the advance-guard, philosophy the rear-guard, of success.

The new hope and the new fear impelled Elizabeth to call, in November 1588, a new parliament, which did not, however, convene until February 4, 1588-1589. This parliament, in which Bacon sat for Liverpool, met for the purpose of granting a subsidy, usually levied upon each subject at the rate of four shillings to the pound of lands and two shillings eightpence of goods. The usual single subsidy being considered insufficient to prosecute the warfare against Spain, a double subsidy was decided upon. In order to prevent the establishment of a precedent of granting double subsidies, Francis Bacon, as one of a committee to which the matter was referred, drafted a restriction to the bill providing against the creation of such a precedent. Bacon was then directed to collaborate with Elizabeth's learned counsel in the drafting of the bill, thus forming a contact with the royal legal service through which he might demonstrate his usefulness to that body as he was already beginning to show his usefulness to parliament. In the end, a double subsidy and four fifteenths and

tenths were granted to the queen, the fifteenths and tenths representing respectively the fifteenth and tenth parts of the value of goods-movable of each town.

No government, perhaps, has ever existed which has not been swayed by religion. Wounded externally during 1588 by Spain, England was stabbed internally by the Martin Marprelate controversy. The Nonconformists, now called Puritans, were attempting to establish a democratic government within the church. In a rash effort to aid their cause, a vituperative pamphlet was issued by a Puritan zealot under the pseudonym "Martin Marprelate." It appeared injudicious for the members of the Church of England to attempt to pour oil upon the troubled waters, for, as Bacon says, "He that replieth, multiplieth." The bishop of Winchester, Thomas Cooper, nevertheless, with dignity, in his pamphlet called *An Admonition to the People of England*, answered the attacks upon the Established Church, lighting the way for the eloquent defence of 1593 by Richard Hooker. The turgid waters of Jordan, instead of flowing naturally into the Dead Sea, inundated the land. A series of replications and counterattacks followed, the Puritan pamphlets emanating from the press of John Penry, a Welshman. As the cause not only of the Church of England but of all learning was hazarded by the activities of the Puritans, the foremost prose writers of England, and more especially those with a satirical penchant, like Robert Greene, Thomas Nashe, and John Lyly, were enrolled to repel these attacks.

Who was better able than Bacon to be the mediator in the Marprelate controversy? His mother was fervent in the cause of the Nonconformists. His own sympathies were, to an extent, with the Established Church. He had seen in France the result of religious dissension; he had been auditory to the religious debates in parliament in December 1584; and he probably wrote, maybe in the same year, the letter of advice to Queen Elizabeth concerning the proper method of dealing with recusants. Bacon, therefore, wrote for circulation among the officers of church and state his *Advertisement Touching the Controversies of the Church of England*, composed probably in 1589, and posthumously published in 1640, and included in *The Resuscitatio* of his chaplain, Dr. Rawley, in 1657. It proved of such worth that it was again published in 1663 when dissent was strong. Judicious and non-disputatious it is, and as indecisive as is most arbitration. The arguments are nicely counterbalanced. Unlike the popular envenomed pamphleteers, violently partisan and recriminatory, Bacon sees the virtue and the evil in both causes, some seeking "truth in the conventicles and conciliables of heretics and sectaries,

and others in the extern face and representation of the church." The severed head of Sir Thomas More, the wisely foolish man or the foolishly wise man, need not have bedecked London Bridge as a sacrifice to Catholicism, the abjuring right hand of Thomas Cranmer need not have been put to the flame as an oblation to Protestantism, had both faiths been more liberal. Bacon, in this work, pointed the way to Jeremy Taylor, whose *Liberty of Prophesying* generously recognized freedom of conscience. Between the more radical Protestantism, which was veering toward Bibliolatry, and Roman Catholicism stood the Church of England, combining secularism and spirituality and having in itself authority and flexibility. This denomination was for Bacon the golden mean. Bacon compares the existent dispute between the Puritans and the Anglicans to that between the Catholics and the Anglicans several years earlier, and to that between the churches of the East and the West concerning images, and urges all Englishmen to remember that "the ancient and true bonds of unity are *one faith, one baptism*, and not one ceremony, one policy . . ." In his usual analytical and methodical, but lucid, manner, Bacon discusses in detail the occasions of controversies, the development and accretion of the controversies, the violent practices of the antagonists, the tendency to separation of the partisans from the main body, and the debating of the controversies. Not as an oracle, not as a Puritan or a Papist or a protector of the Established Church, but as a man urged a bit by expediency but more by seraphic generosity, he would willingly leave the half gods for the whole God, and balm the wounds of the church. He closes with a statement of his recognition of the fact that his conception of the matter will please neither of the parties disputant, but hopes that it may appeal to the impartial Englishmen who "love the whole better than a part."

The influence of Bacon's meditation on the state of the church was far-reaching. He seems to have prepared a letter for submission by Secretary Francis Walsingham to Monsieur Critoy, secretary of France. It was prepared under the supervision of John Whitgift, archbishop of Canterbury, whom Lady Bacon described in Greek as "the destruction of our church, for he loves his own glory more than the glory of Christ." The purpose of the letter was to create a closer bond between England and France, between whom amity was closer after the accession of the Protestant Henry of Navarre, as well as to refute the rumor or to negate the possibility that Elizabeth had been inconstant and variable in her treatment of Catholics and Puritans. The letter, included in part in Bacon's *Observations on a Libel*,

1592, is a bit of masterly diplomatic writing. It well supports the theses that "consciences are not to be forced, but to be won and reduced by the force of truth, with the aid of time and the use of all good means of instruction and persuasion," and "the causes of conscience, when they exceed their bounds and grow to be matter of faction, lose their nature; and that sovereign princes ought distinctly to punish the practice or contempt, though colored with the pretence of conscience and religion." Quiescent Catholics and Puritans, he maintains, had been tolerated, but partisans active and antagonistic to the Established Church had been justly repressed, consciences having been dealt with tenderly, but faction firmly.

"A grant of the office of the Clerk of the Counsel in the Star Chamber to Francis Bacon," is the entry under the date of October 29, 1589, in Burghley's notebook.³ Although the office was a valuable one, it did not come to Bacon as a remainder for two decades, a long while to wait for an office to mature, but Bacon was more fortunate than Ben Jonson, who waited long and hoped vainly to enjoy the reversion of the mastership of the revels. In the famous letter written to Burghley in 1592, in which Bacon refers to himself as being thirty-one years old at the time, Bacon again offers his services to the crown. He says, "I ever bare a mind . . . to serve her Majesty . . . that deserveth the dedication of all men's abilities." "I have taken all knowledge to be my province," says Bacon in this letter, but contradictorily he states, "I have as vast contemplative ends as I have moderate civil ends." A young man's ambition this is—almost a young man's idle dream, vain of accomplishment. But other young men have had hopes as high. Coleridge, in 1801, says he hopes that, before he is thirty, he will "thoroughly understand the whole of Nature's works." Only, however, if Bacon does not secure office will he sell his inheritance and "purchase some lease of quick revenue, or some office of gain that shall be executed by deputy, and so give over all cares of service, and become some sorry book-maker, or a true pione[e]r in that mine of truth, which . . . lay so deep." There was, then, no cessation to Bacon's desire to lead an active life at court; in spite of his statement to the contrary, desire for contemplation was equal or subordinate to desire for activity.

Bacon had activity in the parliament that met on February 19, 1592-1593, in which he sat as a knight for the shire of Middlesex. A bill illiberally dealing with recusancy was stoutly objected to by Bacon. Anthony Bacon, in a letter of March 14, 1592-1593, to A. Standen, says

³Cott. MSS. Tit. C. X. 93, cited Spedding, *L. L.*, I, 102.

that "we brothers" will do what we can against the rigors of the bill. Altruistically, on March 20, Bacon argued against another bill, the purpose of which was to expedite justice in the Star Chamber, which probably would have supplanted the clerk of that body, against whom much complaint seems to have been made. Despite Bacon's holding the reversion to the clerkship, he argued against the bill, because it was "prejudicial to her Majesty, injurious to the Judges of that Court, and burthensome to the subject." Bacon, with the immodesty of an eloquent speaker, started to the bar to speak, but was ordered to speak from his seat. With composure and dignity, he continued his talk. More than one of his contemporaries have commended his eloquence and power over his native language, both in private and in public. Mr. Tash says that he was "born and elect for a ric[h] speaker," and Ben Jonson testifies that he "was full of gravity in his speaking" and that his auditors were constantly in fear that he would make an end to his talk. The bill was rejected by the House of Commons after the speaker, Edward Coke, whose path was to run parallel and to cross with Bacon's frequently in life, had with artifice directed those members opposed to the bill to remain and those in favor of it to go out, for "the inventors that will have a new law are to go out and bring it in."⁴

At the meeting of this parliament, the old wound with Spain was gaping again. With Spanish gold, more lustrous in the history of the world than the gold of any other nation, the Scots were gorging themselves. In the North, war-songs were being chanted in Erse; in the South, only a few miles across the Channel, the Spaniard had strategically placed himself in Brittany, whence he might easily embark for Scotland. Well might the lord keeper, speaking for Elizabeth, exhort parliament to make no more laws, of which there was such superabundance that a codification was necessary; to make no idle speeches; but to act, to act a devil's way and in God's name. And action with Elizabeth was tantamount to supplying money to outshine the dazzling doubloons of the Spaniard. On February 26, when a plea was made for the granting of a subsidy and an account was given of the expenditure of the last subsidy, Bacon immediately rose to his feet. Perhaps the imp of the perverse seized him; perhaps more urgent, to his mind, was the abridgment of the laws. Be that as it may, in the fragment of the speech preserved, Bacon seized with avidity the digressive suggestion of the lord keeper that fewer or abridged laws would be beneficial to the state. Close to his heart was the subject of

⁴Spedding, *L. L.*, I, 229.

the codification of the laws. Not on the issue, but on the hint fallen by chance, Bacon addressed the House. The laws and statutes, he said, were so multiplicitous and complex that "neither common people can half practice them, nor the lawyer sufficiently understand them." The truth undoubtedly, but truth, even from the lips of a philosopher, is unwelcome when it is extraneous. Inertia is the circuitous route to political failure; vigorous activity is the direct route, and Bacon chose the latter. Man of the Renaissance that he was, Bacon, moreover, told of the Romans who "appointed ten men who were to correct and recall all former laws, and set forth their Twelve Tables, so much of all men to be commended," and of the "Athenienses," who "appointed six to that purpose." Well might the government and Bacon's colleagues of the House object to such scholarly delay, but, in so far as we know, objection was not taken to his classical analogues. Gazing into the dim past and into the distant future, Bacon was so hypermetropic that he could not see the enemy at the gates. Bacon might be honored even more had he, in 1588, been in arms against the enemy.

An advisory committee recommended that two subsidies and four fifteenths and tenths be granted. The House of Lords meanwhile, however, requested a conference with the Commons and said definitely that it would approve not less than three subsidies, payable in semi-annual installments for the three next succeeding years. Bacon, a member of all the Commons committees, opposing his cousin, Sir Robert Cecil, said in a speech that he yielded to the subsidy but that he "misliked that this House should join with the Upper House in the granting of it," maintaining that the prerogatives of the lower house would be violated if the upper house were permitted to offer the terms of a subsidy to the lower. After much debate, word was sent to the Lords that "no such conference should be had." The Lords then replied that the reason given for denying a conference was a "niceness more than needed to be stood upon." The House of Commons, upon the motion of Sir Walter Raleigh, thereupon decided to consider the question as to whether a conference should be had with the House of Lords, which was voted upon affirmatively, but it was decided that the conferees of the Commons should arrive at no final decision. At the conference, the Lords only re-emphasized the danger. When the question of the amount of the subsidy again was considered in the Commons, Bacon agreed to the grant of three subsidies. He urged that payment be not required in fewer than six years, because "the poor men's rent is such as they are not able to

yield it, and the general commonalty is not able to pay so much upon the present," and because more severe requirement would "breed discontentment in the people," and because the manner of supply might be "by levy or imposition when need shall most require." In an apologetic letter to Burghley, probably written in March 1592-1593, Bacon said, "Whatsoever was above a double subsidy, I did wish might (for precedent's sake) appear to be extraordinary, and (for discontent's sake) mought not have been levied upon the poorer sort."

Bacon lost. The grant of the Commons of three subsidies and six fifteenths and tenths, payable within four years, was approved by the House of Lords and then presented to the queen, who, conformable to her nature, inveighed against those persons, including Bacon specifically, "who had seemed to regard their countries, and made their necessity more than it was, forgetting the necessity of the time." Elizabeth was right and Bacon wrong in so far as his future was concerned, but right in so far as principle was concerned. Temporarily wrong but permanently right, Bacon usually seems to have been. Hearing of the displeasure of Elizabeth through his uncle, Bacon wrote immediately to Cecil urging him to "accept of the sincerity and simplicity of my heart, and to bear with the rest, and restore me to her Majesty's favour." In explanation but not in extenuation of his action, he says that the speech had been made "in discharge of my conscience and duty to God, her Majesty, and my country." Elizabeth, obdurate, denied him her presence.

CHAPTER V

The Victorious Queen

VICTORY over the enemy and victory over the people came in 1588 to Elizabeth. All the nation warmed to her as she imperiled her life, like a reincarnated Boadicea, to enhearten the soldiers under Leicester's command at Tilbury. A floodtide of patriotism flowed over the nation when she, not knowing the danger to be past, uttered in her resounding voice the most eloquent words she ever spoke: "I know I have but the body of a weak and feeble woman; but I have the heart of a King, and of a King of England, too; and think scorn that Parma or Spain, or any Prince of Europe, should dare to invade the borders of my realms." The Armada carrying twenty thousand soldiers, who were to be aided by reinforcements in the British Isles, bore the hope of the king of Spain, in whose grip were the New World, a veritable mine of precious gold and silver; the Low Countries and Flanders, nuclei of commerce; and Naples and Milan, the terminal jewels in the Italian tiara. The Armada bore also the hope of a pan-European Catholicism. The democratic British fleet of Sir Francis Drake, however, not content with the "singeing of the Spanish King's beard" by burning the enemy galleys at Cadiz in 1587, bore the hope of England for the conquest of the aggressiveness and militarism of Philip and for the victory of Protestantism. The bitter anti-Catholicism of England at this time appears in much of the contemporary literature, notably in *The Faerie Queene* of Edmund Spenser.

The queen's voice had not died when Drake's message, sent from the midst of furious battle, reached England, "There was never anything pleased me better than seeing the enemy flying with a southerly wind to the Northward." Nothing unifies a nation more than naval or military victory over a stout enemy. England forgot that Elizabeth, wearied and worried by the expenditure of £17,000 a month in protecting against the enemy, had provided for her forces so inadequately that Lord Howard begged, for the love of God, for munitions; that

she had so poorly victualed the army and navy that Leicester complained that there was "not a barrel of beer nor a loaf of bread after twenty miles' march;" and that fightingmen, who were willing to sacrifice their lives to the enemy but who could secure hospitalization for their injured bodies only upon the surety of their officers, were ignominiously dying of wounds in the streets or on shipboard. Elizabeth's avarice robbed the nation of an unusually spectacular victory; yet the nation, drunken by the sight of the enemy's blood as it ran from the very scuppers of the Spanish galleons, was content, even jubilant.

On August 20, 1588, when the sermon of thanksgiving was preached at St. Paul's; on Queen's Day, when Elizabeth celebrated the thirtieth anniversary of her accession to the throne; and again on November 24, when she made a formal procession to the cathedral to offer thanks for her deliverance, the people were impelled to recall the three successful decades of her reign. During this time discovery and invention had been promoted; the government had been administered efficiently and economically, the millions of government indebtedness to which Elizabeth had fallen heir having been paid, and the monetary system having been stabilized; the royal advisers had commanded the respect of the whole nation; ships had been built at the royal yards and other defense had been made, although peace had been attained through negotiation as well as through victory in warfare; trade and commerce had been advanced, with resultant prosperity in all the realm; and the national faith had been kept undefiled. Love of homeland and of queen inevitably followed. England was the greatest nation in the world, and Elizabeth was the greatest sovereign.

The literary works of this period fairly coruscate with the name of Elizabeth. Edmund Spenser, in 1590, at the suggestion of Sir Walter Raleigh, brought to Elizabeth the first three books of *The Faerie Queene*, and, in 1596, living at Leicester House as the protégé of Essex, he published the next three books. In this work, Spenser, like other authors of the day, genuflects in virgin worship. Elizabeth is allegorized under the names of Gloriana, Britomart, Belphebe, and Mercilla; she also represents Virtue and Protestantism. William Camden understands the personality of the queen when, in his account of her life, he says, "Never was Prince more Dread, never more deare." The godson of Elizabeth and the object of much of her swearing, Sir John Harington, whom Elizabeth exiled from her court after seeing a part of his translation of Ariosto's *Orlando Furioso* until he had completed the entire work, reveals Elizabeth's temperamental nature. He says that Sir Christopher Hatton came from the presence of the queen with

a sad countenance and said to him, "If you have any suite to daie, I praye you put it aside, *The sunne dothe not shine*. 'Tis this accursed Spanishe businesse." Harington says also, with nice subtlety, "We did all love hir, for she said she loved us, and muche wysdome she shewed in thys matter . . . When she smiled, it was a pure sunshine, that every one did chuse to baske in if they could; but anon came a storm from a sudden gathering of clouds, and the thunder fell in wondrous manner on all alike." After the queen had asked Harington to raise his arm that she might rest herself thereupon, he recorded, on Sunday, June 14, 1594, with the exuberance of a schoolboy, "Oh, what swete burden to my nexte songe!—Petrarcke shall eke out good matter for this businesse."¹ Despite Roger Ascham's praise of his student Elizabeth, he says in a letter of 1566 to Leicester, apropos of her stinginess, that his family might well say, "We maye all goe a begging for any thing that Master Ascham could ever geat to leave unto us, by all his servis done to Queene Elizabeth . . ."² Elizabeth, upon Ascham's death, said that she would rather lose fifty pounds than her old master. Fifty pounds! She might have raised the stake when she knew that she would not have to pay. Even those who were barbarously punished by Elizabeth continued to eulogize her, impelled by both necessity and patriotism. Robert Page, who lost his right hand by offending the queen, raised the stump and said, "I have lefte there a trewe Englyshmans haund," and John Stubbs, who for an attack upon the queen's proposed French marriage suffered the same punishment, raised his hat with his remaining hand and said, "God save the Queen."³ With all the nation telling her of her rare beauty and fame, it is not a wonder that her own conception of herself was false. It is said, indeed, that to flatter her a deceptive mirror was constructed for her use, and that, immediately before her death demanding a mirror which would reproduce her appearance as it was, she gazed at an unattractively old woman, and damned those who had praised her appearance.⁴ It was custom—courtly custom, Italian, French, and English custom—even more than hypocrisy which made the world flatter Elizabeth.

Francis Bacon's contribution to this fulsome compliment may be found in his various courtly devices and particularly in a triumph presented by Essex for the queen on November 17, 1592. The speech in praise of the queen follows another, more characteristic of Bacon,

¹Harington, *Nugae Antiquae*, I, 173 and 360-362.

²*Ibid.*, I, 91.

³*Ibid.*, I, 149 and 157.

⁴Cottonian MS., Julius, F. VI, 121, cited Nichols, *Elizabeth*.

in praise of knowledge, in which he declares, "The mind is the man . . . A man is but what he knoweth." Bacon smiles at Aristotle, who admired "the eternity and invariableness of the heavens." He says truly that in the great universities students "learn nothing there but to believe: first to believe that others know that which they know not; and after themselves know that which they know not," thinking that "the sovereignty of man lieth hid in knowledge." He concludes, "Now we govern nature in opinions, but we are thrall unto her in necessity; but if we would be led by her in invention, we should command her in action." Here again appears his desire to quest for knowledge and to reduce nature to the servitude of man. In his "Discourse in the Praise of His Sovereign," Bacon commends the unswerving action of Elizabeth in maintaining the established religion. He eulogizes her personal fortitude in peace and in war, her non-imposition of additional taxes and other burdens upon her subjects, her action in declining prodigally to build castles and to entertain sumptuously, her preservation of peace, and her encouragement of discovery, industry, and shipping which made England "the lady of the sea." Dealing rapidly with the enemies of Elizabeth and the misfortunes of other European states, Bacon passes to the excellences of Elizabeth's person. To this point, Bacon has been relatively truthful, for, indeed, England has had no greater sovereign than Elizabeth. With all the wealth of Renaissance detail and with the ardor of a writer of masques, he depicts, like the Elizabethan sonneteer, the glories of her voice, her eye, her complexion, her neck, her hair, and her breast. A philosopher could not, or should not, have known many of these details. Although Bacon is thoroughly traditional in this respect, he can no more convince us that he was interested only in spiritual beauty—or, indeed, that he was interested in feminine physical beauty except conventionally—than can Chaucer that he always gazed upon the ground as if he saw "an hare." Bacon commends also Elizabeth's wit in plotting against plots and her facility in negotiating with ambassadors in their native tongues. "Time," says Bacon, but his prediction was false, "is her best commander."

But there is another side to this picture. During the winter of 1592, when Elizabeth was being entertained lavishly, the plague was stalking, and Thomas Nashe was writing:

Cold doth increase, the sickness will not cease,
And here we lie, God knows, with little ease . . .
London doth mourn, Lambeth is quite forlorn;
Trades cry, woe worth that ever they were born . . .
From winter, plague, and pestilence,
good Lord, deliver us!

Special significance attaches itself to the discourse of Bacon because of the fact that during the same year appeared the *Responsio ad Edictum Elizabethae*, supposedly by the Jesuit, Robert Parsons, in which the principal councilors of Elizabeth, and the queen herself, are inveighed against. Parsons, known as the "lurking wolf," was well experienced for the attack, for it is said that while he was a fellow at Balliol College, Oxford, he lampooned the master, and later he set up a secret press in Essex for the purpose of attacking or answering his enemies. After becoming a member of the Society of Jesus, he was ordained a priest in 1578 and returned to England in 1580 disguised as a soldier. With a view to converting England to Catholicism, he urged Philip of Spain to invade England, the Spanish forces to be aided by sympathizers in the island. The *Responsio*, published under the pen name "Philopater," was incited by Elizabeth's reference, in her proclamation of November 29, 1591, to "a schoolman named Parsons" who had been arrogating to himself the name of the "catholic king's confessor." As a copy of the *Responsio* had come into the hands of Anthony Bacon, it may well be that Francis was writing directly in contravention of this work.

Encouraged, perhaps, by the court, Bacon published a more extended treatment of this subject, in which he considers the internal condition and the international relationships of England under the title, "Observations on a Libel Published this Present Year 1592, Entitled, A Declaration of the True Causes of the Great Troubles, Presupposed to be Intended against the Realm of England." This work, circulated in manuscript and first published by Bacon's chaplain, Dr. Rawley, in his *Resuscitatio*, shows Bacon's customary restraint and judiciousness. He says in the words of Solomon, "Answer not a fool in his own kind, lest thou also be like him." He opens with the statement, "It were just and honourable for princes being in wars together" to "preserve sacred and inviolate . . . the life and good name each of other. For the wars are no massacres and confusions; but they are the highest trials of right . . ." He then particularizes by saying that Elizabeth has done nothing to deprive the king of Spain of his life or to impugn his honor, but that many works reviling Elizabeth and her government have been published in all languages. The attacks upon Lord Burghley and his son, Robert Cecil, he repels by evaluating his uncle's worth and by declaring that his cousin has "one of the rarest and most excellent wits in England." Wise he was in defending the Cecils, in whom he yet had much hope of preferment. Bacon, however, may have been as ingenuous as his tone would indicate, for his own father, Sir Nicholas Bacon, was also attacked, being

accused of possessing "exceeding crafty wit." In refutation, Bacon points out his father's plainness, directness, and constancy, adding, ". . . if he were crafty it is hard to say who is wise." Shrewdly, succinctly, tolerantly, and brilliantly, Bacon discusses the scope and the cunning, falsehood, abuse, and impudence of the libel; the moderation of proceedings against pretended Catholics; and the existing disturbances in Christendom. He speaks of the present state of England, in which he praises the continuance, the health, the prosperity, the peace, the increase in population, the purification of religion, the standardization of the monetary system, and the augmentation of England, by way of specific comparison with the unprogressiveness of the other countries of Europe. The *Notes on the Present State of Christendom*, if composed by Bacon, gave him an excellent background for the writing of this work.

Less than a month after the Tilbury review, the earl of Leicester died on his way to Kenilworth. With his death, youth seems to have fallen from the queen. Leicester had been her favorite, a title paramount to all others at court. And other suitors were dying: Adolphus of Holstein, the Valois princes, and Eric of Sweden, who ended his irregular life with a cup of poison.

The old nobility was fast being supplanted by the new. The old court was allied not only by bonds of profession and society but by affinity and consanguinity. The successes and failures of any member of the court were those of a family; the quarrels and the reconciliations were those also of a family.

Leicester's nephew, Sir Philip Sidney, "flower of chivalry," had died gloriously in 1586 at Zutphen. Passing the flask to a thirsting common soldier he had said, "Thy necessity is yet greater than mine." To Sidney, courtier, soldier, author, and scholar, Spenser dedicated *The Faerie Queene*; and Sir Fulke Greville describes himself climactically in his epitaph as servant to Elizabeth, councilor to James, and friend of Sidney. In his amours, Sidney was associated with the most courtly families of the day. Lord Burghley made overtures for the marriage of his daughter Anne to Sidney; Sir Walter Devereux hoped on his deathbed that Sidney might marry his daughter Penelope, whom Sidney has immortalized in *Astrophel and Stella*. But Sidney actually married Frances, the daughter of Sir Francis Walsingham, who became successively the wife of Robert Devereux, earl of Essex, and Richard de Burgh, earl of Clanricarde.

At about this time many other trusted members of the old court died. Sir Walter Mildmay, chancellor of the exchequer, who had married the youngest daughter of Sir Francis Walsingham, died in

1589. In the succeeding year died Leicester's brother, Ambrose Dudley, "Good Lord Warwick" and duke of Northumberland, who had attempted to place his sister-in-law, Lady Jane Grey, on the throne. He had been talked of as a husband for Mary, queen of Scots, and he had aided the French Protestants at Havre in their struggle with the Guises. The death of Sir Francis Walsingham came also in 1590. As the queen's principal secretary, he and Burghley jointly conducted foreign affairs, Walsingham maintaining an elaborate espionage system and informing Elizabeth in detail as to the preparations of the Spaniards for warfare. In this same year died Thomas Randolph, diplomat, chancellor of the exchequer, and postmaster-general who had married Anne, sister of Sir Francis Walsingham. Sir Christopher Hatton, lord chancellor, like Leicester malignantly reputed to be the paramour of Elizabeth, died in 1591. He wrote passionate love letters to Elizabeth saying, "Love me, for I love you." Sir Francis Knollys, treasurer of Elizabeth's chamber, died in 1596. His wife Catherine, lady of the queen's privy chamber, was the granddaughter of Sir Thomas Boleyn and consequently first cousin to Elizabeth. Lettice, the daughter of Knollys, married Walter Devereux, the father of Robert and Penelope, and later Robert Dudley, earl of Leicester. The brother-in-law of Knollys, Henry Carey, Lord Hunsdon, cousin to Elizabeth and chamberlain of the queen's household, died also in 1596. Although Elizabeth was extremely fond of her kinsmen on her mother's side, she made no attempt to create Hunsdon an earl until he was on his deathbed. Then he declined the honor, saying that if he was not worthy of the title during his lifetime, he did not wish it at his death. Hunsdon's third daughter married Sir Edward Hoby, eldest son of Sir Thomas Hoby, who married Bacon's aunt. Lord Burghley, who died in 1598, was toward the end of his life rapidly being supplanted by his son Robert. Mates by intrigue, by connivance of parents, by avarice, and only occasionally by love, were the nobility of Elizabeth's court. The devotion expected from alliance through more natural motive was, therefore, not to be expected of the entourage of Elizabeth.

In the new court were Robert Cecil, the second son of Lord Burghley; Charles Howard, the earl of Nottingham, who defeated the remains of the Spanish Armada, and the son of Lord William Howard, to whom the queen was indebted; Thomas Sackville, Lord Buckhurst, author of the "Induction" to *A Mirror for Magistrates* and co-author of *Gorboduc*, the first English tragedy, who was to succeed Burghley as lord treasurer; the brilliant, dark-thoughted Sir Walter Raleigh,

historian, philosopher, chemist, poet, navigator, warrior, and colonizer; and the earl of Essex.

Robert Devereux, the earl of Essex, was well qualified by personal appearance and attainments to become the favorite of Elizabeth. Younger than the other major courtiers, he was also well recommended to the queen by his lineage, coming from the Boleyn side of Elizabeth's own family. His father, Walter Devereux, had wasted much of his private fortune in attempting to colonize Ulster. His stepfather, Robert Dudley, the queen's favorite, is accused but probably falsely in *Leicester's Commonwealth*, attributed usually to Father Parsons, of poisoning Essex' father because of his love for Lettice, Essex' mother. In addition to being son and stepson of distinguished courtiers, Essex was the ward of Lord Burghley, the grandnephew of Hunsdon, and the grandson of Knollys. These relationships in themselves, together with Essex' own accomplishments, account to some extent for his preferment at court and make more normal the relationship between the young courtier and his grandmother's cousin, thirty-three years his senior. When he was but eleven, Robert was presented at court, where he was twitted for keeping on his hat in the queen's presence; and he declined Elizabeth's proposal that he kiss her. At eleven, Robert was sent to Trinity College, Cambridge, where, like Bacon, he was under the tutelage of John Whitgift, later archbishop of Canterbury. At thirteen, he complained to Burghley of the insufficiency of his wearing apparel. At fifteen, he wrote to Mr. Broughton in London ordering "one verie faire suite of apparell against St. George day; satten doublet, velvet hose, and jirkin of crimson laid on with silver lace, with my foote-cloth, my mens lyveries, etc.," and said that he would later send some stuff to London by "Hobson [the old Hobson whom Milton has immortalized] the carier of Cambridge."

The cloud under which Essex' father died, worrying in his last sickness only for his children, whose fate was as bad as life can inflict, must have increased the tempestuousness of Robert's disposition. "O my poore children, . . . God blesse you & give youe His grace. God forgive me," he said, "for Jhus Christe's sake, ffor synce I came into Ireland these three yeres I have lyved very negligently and have not served God but have lived like a souldier and althoughe a souldier should feare God and serve him yet I have not served Him but spent my tyme vainlie. I beseche God forgive me."⁵

Essex was made general of the horse in the expedition of his

⁵Malden, *Devereux Papers*, 8.

uncle, the earl of Leicester, to the Low Countries and prodigally spent money in outfitting his attendants. After distinguishing himself at Zutphen, in 1586, he returned to the court, where the queen showed marked attention to him. His learning—at ten he was master of Latin, French, and English—his handsomeness, his courtesy, his bravery, and, indeed, even his stormy nature, attracted the queen. Although during the summer of the battle with the Armada, he was kept, against his will, with Elizabeth at Tilbury, the next year, 1589, he sailed with Drake to support the pretensions of Don Antonio to the Portuguese throne. In 1591, he was commissioned to aid Henry of Navarre in his difficulties with the league. In February 1592-1593, his real authority began when he was made a privy counselor.

The time of the first meeting of Bacon and Essex is indeterminate, but they seem to have been friends as early as 1591. Friendship to Bacon, as to most Elizabethans, was utilitarian; his practical attitude toward it is found in his essay *Of Friendship*. He says that without friends one's solitude is miserable; that a friend can advance one's interests, or care for one's children, or complete an unfinished work; that classical friendships emanated not from benevolence of nature, for these men were worldly wise; and that one of the fruits of friendship is that it minimizes sorrow and increases joy, and that another is that it lightens the understanding. Years later, after the execution of Essex, Bacon said in his *Apology*, "I held at that time my Lord to be the fittest instrument to do good to the state; and therefore I applied myself to him in a manner which I think happeneth rarely among men." He says also that he enlisted the services of his brother Anthony in the cause of Essex.

Essex was of use to Bacon in February 1592-1593 when the attorney-generalship became vacant through the promotion of Sir Thomas Egerton to the mastership of the rolls. The candidates for the office were Edward Coke, who had been solicitor-general for nearly a year, and Francis Bacon—antitheses professionally and personally. Coke was a lawyer of precedent, with maxim and statute at the tip of his tongue; Bacon was a lawyer of philosophy, wishing to discover the reason for the law and to adjudicate each case upon its own merits as well as upon precedent. Had the Baconian method prevailed, the law might today be a living philosophy; there might be less subversion of the spirit of the law through appeal to technicality; the law and equity might be combined; and there might be less frequent mention of the law, "There is too much law but not enough justice." Both Bacon and Coke had offended the queen: Bacon by delaying the passage of legislation to aid Elizabeth in a

time of stress and Coke by dealing, as speaker of the House of Commons, with ecclesiastical matters. Yet Coke showed a tendency to yield to the queen, while Bacon sought to explain, indeed to defend, his action. Coke was endeavoring to cleave his way to fame. Bacon was suave, almost unctuous, and, although of as strong conviction as Coke, he knew how to appease his adversaries. Coke was nine years older than Bacon; his personality was more robust; and his experience in public life was greater. His promotion from the solicitorship to the attorneyship consequently would have seemed to be the natural reward for his service. Bacon, at thirty-two, was young for such high office. In addition, his personality seems to have been in a molten state; he was financially irresponsible and indulgent to his servants. On April 17, 1593, his mother wrote to Anthony:

I pity your brother, yet so long as he pitieth not himself but keepeth that bloody Percy, as I told him then, yea as a coach companion and bed companion, —a proud profane costly fellow, whose being about him I verily fear the Lord God doth mislike and doth less bless your brother in credit and otherwise in his health, —surely I am utterly discouraged and make a conscience further to undo myself to maintain such wretches as he is. That Jones never loved your brother indeed, but for his own credit, living upon your brother, and thankless though bragging . . . It is most certain till first Enney, a filthy wasteful knave, and his Welshmen one after another—for take [one] and they will still swarm ill-favouredly—did so lead him as in a train, he was a towardly young gentleman and a son of much good hope in godliness . . . I will not have his cormorant seducers and instruments of Satan to him committing foul sin by his countenance, to the displeasing of God and his godly true fear.⁶

This is strong language, but Lady Bacon's mind became increasingly cankered by Puritanism as she advanced in age, and she interpreted her own mental debility as moral debility in others.

Bacon's public legal service had not been sufficient to merit the post of attorney-general. His mere application for the position made him an interloper. Yet the service of his father warranted consideration of his application, and Bacon was supported ostensibly by the Cecils and sincerely by Essex.

The Cecils and Essex led the two factions at court. Each family realized that both Anthony and Francis Bacon might offer good service. The Bacons themselves were no less shrewd than the other courtiers. Anthony, complaining in 1596 that he had received from the lord treasurer for his ten years' service not a halfpenny, was already leaning toward the earl of Essex. Francis, unwilling to abandon the relationship of the Cecils for the friendship of Essex,

⁶Spedding, *L. L.*, I, 244.

or the friendship of Essex for the relationship of the Cecils, seems at first to have wished to serve both parties at the same time, or, at least, to secure a little competitive bidding for his services. In a fragmentary letter of April 1593, Bacon tells Essex, "I will not dispose of myself without your allowance."⁷ Essex was well able to use both Anthony and Francis. Anthony collected for Essex all foreign intelligence, usually in cipher, which, after being deciphered, he submitted through Francis, who added his comments to those of Anthony. So efficient was this service that at the end of 1593 the queen is said to have placed all matters of intelligence in the hands of Essex.

During the previous month, Bacon had written to Burghley in extenuation of his speech against the triple subsidy.⁸ At about the same time, Bacon asked Sir Thomas Cecil, Burghley's son by his first marriage, to write to Burghley commending him for the attorneyship. Thomas' letter to his father in compliance with Francis' request says that the latter "forbareth for modesty's sake to speak for himself."⁹ On April 16, 1593, Bacon wrote to Sir Robert Cecil urging him also to importune his father to obtain the post for Bacon.¹⁰ Sir Robert tactfully replied on May 7, 1593, that he pledged his help to Bacon, but that his cousin should press Essex for the place, "who hath both true love towards you and the truest and greatest means to win it of her Majesty."¹¹ In an undated letter, apparently of the same period, Bacon wrote to the queen reminding her that he had sought access to her presence because he had been encouraged by her speeches and that he would like to enter her service in a capacity for which he had been prepared. Foreseeing her objection to the appointment because of his youth, he said that other men "younger in proceeding" than he and "of no great note" were aspiring to similar office.¹² In June, Bacon was told by Essex that the queen had been conciliated and that his comparative youth was the only consideration which withheld his appointment. On July 18, 1593, Anthony wrote to his mother that the queen had assured Essex that she took no exception to Bacon. Yet, on August 24, Essex advised Bacon that a change had come over the queen and that she considered Bacon more in fault "than any of the rest in Parliament" and that his access to court was all that he might

⁷*Ibid.*, 235.

⁸*Ibid.*, 233-234.

⁹*Ibid.*, 237.

¹⁰*Ibid.*

¹¹*Ibid.*, 238.

¹²*Ibid.*, 240-241.

look for.¹³ The Bacons did not fail to prod the other political faction. On August 29, Burghley advised Lady Bacon generally and evasively that although his ability to aid his friends was smaller than the world conceived it to be, yet his nephews should "not want the intention to do them good."¹⁴ In late September, Bacon was at Gorhambury attending his mother, who was ill. Unwilling to keep out of communication with affairs and hearing that Coke had been at court, he wrote on September 26 to Michael Hicks, secretary to Burghley, asking him to learn what he could from Burghley and Sir Robert Cecil and to report to him. Hicks, with a keen sense of fidelity to his employer, evidently revealed the contents of the letter to the Cecils, for on the following day both father and son replied directly to Bacon. Burghley said that he had attempted to place Bacon and that he would continue to ingratiate him with the queen and also intercede with Essex. He said also that the queen had asked of the lord keeper the names of lawyers to be given preferment, and that the latter had placed other names above that of Bacon. To the lord keeper Bacon had already written, but had received little encouragement. Sir Robert, with seeming sincerity, said that he had appealed to "his Lordship," who had promised to do his best, and Robert suggested that Bacon's absence from court would not redound to his favor.¹⁵ Essex, meanwhile, continued to plead with the queen, who, though frequently willing to hear pleas on behalf of Bacon, was not so willing to grant him the attorneyship. With the usual perversity of a woman who knows that she possesses power of final decision, Elizabeth heard but did not heed. Essex, in an undated letter, probably written on October 13, 1593, advised Anthony Bacon that the queen was aware of Francis' merits, but asserted that even his uncle named him second. Thereupon Essex, protesting too much, said, ". . . if Mr. Cooke's [Coke's] head and beard were grown grey with age it would not counterpoise his other disadvantages." His passion became so great that Essex was told by the queen that she "would be advised by those that had more judgment in these things than myself."¹⁶ Francis, in an undated letter, probably written on November 10, told Essex that "the late recovered man," possibly referring to Burghley, but more likely to Sir Robert Cecil, "worketh for the Huddler [Edward Coke] underhand." He urged Essex to determine whether the Cecils had not

¹³*Ibid.*, 254.

¹⁴*Ibid.*, 255.

¹⁵*Ibid.*, 257.

¹⁶Lambeth MSS. 653.172.

"drawn out the nail which your Lordship had driven in for the negative of the Huddler" and to "use all the places of logic against his placing."¹⁷

Postponement of decision as to the appointment until the Easter term gave Bacon opportunity to distinguish himself by pleading in the King's Bench on January 25 and on February 5 and 9, 1593-1594. So successful was his first speech that Burghley sent his congratulations to Bacon by his secretary. The last speech, typically Baconian, was commended by Henry Gosnold, a Gray's Inn lawyer, in a letter to Anthony, in which he said that Bacon maintained his good reputation and, not incredibly, increased it. The index to Bacon's style, Gosnold has found: "The unusual words wherewith he had spangled his speech, were rather gracious for their propriety than strange for their novelty, and like to serve both for occasions to report and means to remember his argument."¹⁸ Corroborating the opinion of Lady Bacon, who in her letter of April 18, 1593, to Anthony,¹⁹ enclosing a letter from Francis, says, "Construe the interpretation. I do not understand his enigmatical folded writing," Gosnold adds, "Certain sentences of his, somewhat obscure, and as it were presuming upon their capacities, will I fear make some of them rather admire than commend him." Warm with friendship but, like even the best of the Elizabethans, punning insufferably, Gosnold closes, ". . . the Bacon may be too hard for the Cook."

Abeysance of decision regarding the attorneyship gave Bacon other opportunity to distinguish himself in the service of the queen. In 1592, Essex had received in England Don Antonio, who had been driven from his Portuguese throne by King Philip. Two years later, early in 1593-1594, Essex, aided by Don Antonio, laid bare a plot on the part of the Spaniards, acting through Dr. Roderigo Lopez, a man of Portuguese-Jewish extraction and personal physician to the queen, to poison Queen Elizabeth. Elizabeth called Essex ". . . a rash and temerarious youth," when no incriminating evidence was found in a search of Lopez' house; and Essex, violent as usual, immured himself for two days.²⁰ On January 28, eight days after the government began to investigate the case, Essex wrote to Anthony Bacon of the treason, which was proved on February 28 by abundant evidence gathered by Essex.²¹ Bacon, who was present at

¹⁷Spedding, *L. L.*, I, 262-263.

¹⁸Lambeth MSS. 653.101.

¹⁹*Ibid.*, 653.165.

²⁰Spedding, *L. L.*, I, 272.

²¹Birch, *Memoirs of the Reign of Queen Elizabeth*, I, 152.

the trial, drew up a true account of the case, his report not being published, however, until 1657 in the *Resuscitatio*. The purpose of the report by Bacon, written seemingly in March 1593-1594, is now indeterminable. He may have wished to ingratiate himself with the queen; he may have wished to justify the action of Essex; or he may have wished to compete with Coke, who wrote a treatise which he called, *True Report of Sundry Horrible Conspiracies*, published in the following November. With his usual precision and keenness, Bacon enumerates the causes and characters of the conspiracy. He also makes out a good case against Lopez, naming as incriminating actions his failure to reveal the conspiracy to the queen or to any counselor, his early denial and later admission of conferences with spies who had already confessed, and his leaving the reward in Antwerp in order that he might flee from England, obtain the 50,000 crowns, and escape to the protection of a relative, Don Salomon, in Constantinople. The use to which Bacon's report was placed we do not know, but he probably believed that a concise statement of the evidence would enhance his reputation as a lawyer and would be invaluable at the court, where fact and fiction must have blended.

"If your Lordship had spoken of the *solicitorship* [for Bacon] that might be of easier digestion to the Queen," said Sir Robert Cecil to Essex on January 30, 1593-1594. "Digest me no digesting," replied Essex with hauteur, as reported by Anthony to Lady Bacon on February 5, "for the Attorneyship is that I must have for Francis Bacon; and in that I will spend my uttermost credit, friendship, and authority against whomsoever, and that whosoever went about to procure it to others, that it should cost both the mediators and the suitors the setting on before they came by it. And this be you assured of, Sir Robert, . . . for now do I fully declare myself; and for your own part, Sir Robert, I do think much and strange both of my Lord your father and you, that can have the mind to seek the preferment of a stranger before so near a kinsman . . ."²²

This last crackle and flare soon enveloped in flames the hope of Bacon for the attorneyship. Egerton and Coke received their patents for the mastership of the rolls and the attorney-generalship, respectively, on April 10, 1594, but as early as March it was known that Bacon had lost the office for which he had expended the money and reputation of himself and his friends. He seems disconsolate in

²²Lambeth MSS. 649.31.

writing to Essex, ". . . I cannot but conclude with myself that no man ever received a more exquisite disgrace."²³

Yet the opportunist was strong in Bacon. He sought not only the unattainable but also the attainable. Already he had planned to obtain that which had some time before been within his grasp. The solicitorship, which he had disdained and which might have been granted to him, was now the office which he sought avidly. In asking for this office, he was aided by the Cecils, who had at first favored his seeking the solicitorship rather than the attorneyship; by his best friend, Essex; by Egerton, the new master of the rolls; by Puckering, the lord keeper; by Sir Thomas Heneage, the vice-chamberlain; by Fulke Greville, a courtier of no small influence; and by numerous judges. Success seemed inevitable with such support. Some slight opposition, however, might yet be expected from the queen, for Bacon had not yet entirely conciliated her. Coke might well object to the appointment of Bacon, for his antipathy toward Bacon was that of the inferior mind for the superior, and he perhaps sincerely believed Bacon not to be so well grounded in the fact, not the theory, of the law as he would expect of a subordinate. A new battle raged.

Essex, the advocate for Bacon's appointment, seems not to have understood that Elizabeth the woman and Elizabeth the queen were two divergent persons, although one personality was at times submerged in the other. Unable to seduce the fixed conviction of Elizabeth into consent, he attempted to use force. Essex wrote to Bacon at some time between March 26 and March 28 that the queen grew "not passionate against you till I grew passionate for you . . . and therefore in passion bade me go to bed, if I would talk of nothing else. Wherefore in passion I went away." The queen admitted that Burghley supported Bacon's claim and promised to advise with her council when it was assembled. Yet Essex declared his intention to see her about the appointment on Wednesday, the following day; on Thursday to write "an expostulating letter to her"; and on Friday morning to see her again, "stirring a discontentment in her."²⁴ Essex was becoming too ardent an advocate. No person of will, and particularly a queen like Elizabeth, would acquiesce in an appointment in which there seemed to be not a shadow of volition on her part. But not content with emphasizing the merits of Bacon, Essex devoted much of his energy to the disparagement of

²³Spedding, *L. L.*, I, 291.

²⁴*Ibid.*, 289.

the other men seeking the appointment. On March 29 he wrote to Bacon, "The exceptions against the competitors I will use tomorrow." How naive is Essex when, in the same letter, he says of the queen, ". . . she doth not contradict confidently, which they that know the minds of women say is a sign of yielding."²⁵ Bacon immediately wrote to Essex, probably on March 30, urging him to depreciate his competitors, "I pray spare them not, not over the Queen, but to the great ones, to show your confidence and to work their distaste." But Bacon was also preparing for his fall, hoping to land on soft turf. In the same letter, he makes his usual idle and egotistic threat: if the application is not granted, ". . . I will by God's assistance . . . retire myself with a couple of men to Cambridge, and there spend my life in my studies and contemplations, without looking back."²⁶ Had Bacon possessed the courage to execute his threat, both he and the world might have been richer spiritually.

On April 19, Bacon wrote to the lord keeper from Greenwich, where he had gone "in expectation of some good effect," which did not materialize.²⁷

Bacon was, meanwhile, preening himself for the solicitorship. During the Easter term of this year, the famous Chidley or Chudleigh case, which had been argued in the King's Bench, was brought into the Exchequer Chamber for expression of opinion by all the justices of England and for adjudication. The case, involving the alienation of estates by heirs, and more broadly the entire doctrine of uses, was of some importance to the crown because the royal prerogative concerning the reversion and forfeiture of estates to the crown was concerned. The facts are not complex in themselves, but decision in the case was important in the establishment of a precedent. Sir Richard Chidley, holding a manor in fee simple, enfeoffed a part thereof to Sir G. S. *et al.* to the use of himself and the heirs of his body by sundry wives; remainder to the use of the feoffees and their heirs during the life of Christopher Chidley, eldest son of Sir Richard Chidley; remainder in tail to the first through the tenth sons of Christopher Chidley; remainder to the other sons of Sir Richard Chidley then living; remainder to Sir Richard's own right heirs in fee. During the lifetime of his feoffees, Sir Richard Chidley died. The feoffees then enfeoffed Christopher Chidley,

²⁵*Ibid.*, 290.

²⁶*Ibid.*, 291.

²⁷Harleian MSS. 6996.99.

vitiating the intermediate remainder. After the birth of issue to Christopher Chidley, *viz.*, Streightley Chidley, who died without issue, and John Chidley, he enfeoffed Sir John Chichester, who enfeoffed Philip Chichester, under whom the defendant claimed. John Chidley, meanwhile, entered the land and granted a lease to the plaintiff, who brought the action of trespass against the defendant. In a previous *ex parte* proceeding in this case, Hugh Wyatt represented the plaintiff and Edward Coke, then solicitor-general, the defendant; at Easter term, Robert Atkinson represented the plaintiff and Francis Bacon the defendant. The majority of the judges gave decision for the defendant, and Coke and Bacon won jointly but not equally.

In his argument, Bacon is superficially deferential to Coke; yet, here and there, it is obvious that he considered his own reasoning ability superior to that of Coke, to whom he must have referred as "Mr. Attorney General" with some reluctance, for the new title still gleamed. He criticizes Coke for arguing strongly on the preamble of the statute of 27 Henry VIII instead of on the body thereof. Yet there seems to be some effort on his part to propitiate Coke and indirectly to prove his ability to hold the solicitorship.

Coke's advocacy in this case appears to have been as a representative of the crown. Whether Bacon was acting in a similar capacity is indeterminable. It may be that prior to 1594 he had been appointed to a minor legal position in the royal service, a position not uncommon, without definite duty or specified income. If such is the case, his intelligence service, his reports of conspiracies, and his appearance in legal cases in which the crown was interested may be more easily accounted for.

Late in April, Essex advised Bacon to attend the court, in the hope that an audience might be arranged with the queen.²⁸ Both Essex and the vice-chamberlain, however, at about this time fell into disfavor with Elizabeth, possibly for too earnestly sponsoring the suit of Bacon, who realizing that any appointment made by the queen at this time would be disadvantageous to him, besought Robert Cecil on May 1, 1594, to urge Burghley to delay the appointment. Essex' illness about May 13 having impelled the queen to visit him, he once again importuned her to appoint Bacon, but the queen replied that "she came not to me for that; I should talk of those things when I came to her." Five days later, Essex wrote to Bacon that he had seen the queen in the morning, in the afternoon,

²⁸Lambeth MSS. 650.109.

and at night, and had reminded her of Bacon's last argument, evidently that in the Chidley case, and of the repute in which he stood with all men. The queen granted that Bacon had "a great wit, and an excellent gift of speech, and much other good learning," but said that, in law, "she rather thought you could make show to the uttermost of your knowledge, than that you were deep."²⁹ Bacon, hoping to visit the court during the vacation, probably to prosecute his suit, wrote to his mother on June 9 to send him "that light bed of striped stuff which your Ladyship hath, if you have not otherwise disposed it."

New hope for the solicitorship came about June 17 with a communication from Fulke Greville saying that the queen admitted that she had begun to see remedy of Bacon's error, and had avowed her regard for Sir Nicholas Bacon and a gracious inclination toward Francis. Closing with the statement of his confirmed belief that Bacon would have the solicitorship, Greville says that the jewel which Bacon had sent to Elizabeth by the vice-chancellor, who was to plead his cause, although rejected by Elizabeth with good praise of the sender, would, in his opinion, be later accepted by her.

New conspiracies against the queen's life gave Bacon additional public service. On June 13, he examined Edward Lyngen, who, with Henry Walpole, had been committed to the Tower for plotting against Elizabeth's life. About the middle of July, Bacon started for the North on official business, evidently in an attempt to investigate the new conspiracy, which had been concentrated in this section. But his progress was delayed by illness, and he wrote to the queen on July 20 from Huntingdon that her service would in no way suffer thereby, an ambiguous statement in view of the fact that he had definitely set out to advance the interests of the queen.³⁰ The illness, indeed, may have been welcome to him, for he must have realized that his presence at court would give greater promise of his appointment than would his absence. Edward Spencer, Anthony's servant living at Gorhambury, in a letter to his master on July 31, quotes Lady Bacon as saying that she was glad to hear that Francis had returned and that "they were not his friends that did procure him that journey, no though it were my Lord of Essex himself."³¹ He was well enough, in any event, to receive the degree of Master of Arts at Cambridge University on July 27—a new honor adequately valued by him.

²⁹Spedding, *L. L.*, I, 297.

³⁰Lambeth MSS. 650.156.

³¹*Ibid.*, 650.152.

Bacon's futility in the specific service to which he was assigned did not deter him from considering in a general way the matter of the protection of the queen's life. Two drafts of a note on the protection of the queen, both written at about this time, are extant. The earlier, entitled by Bacon, "The first fragments of a discourse touching intelligence and the safety of the Queen's person," affirms the necessity of establishing not only good intelligence, but intelligence which has a reputation for its efficiency, in order that prospective conspirators might be frightened by that reputation even when the intelligence service was not actually in operation. This treatise also suggests that conspiracies by English subjects in the Low Countries be discussed as a part of the law of nations with Archduke Ernest, then governor of the Low Countries, or with King Philip of Spain. In September of this year, Elizabeth did actually begin negotiations of this nature with Archduke Ernest, but her seeds of hope bore no fruit. Only the last paragraph remains of the later draft, entitled by Bacon, "The first copy of my discourse touching the safety of the Queen's person." This paragraph recommends intimidating traitors by filling them with "terror, despair, jealousy, and revolt."³²

Examination at the Tower of those suspected of plotting against the queen's life or of conspiring to enthrone the earl of Derby continued through late August into September. Among those examined were Richard Williams, Ralph Sheldon, H. Young, Edmund Yorke, and others. Bacon endeavored to use these criminal causes as a snare for the solicitorship, as he confided to the lord keeper on September 28.

Bacon accepted philosophically the queen's delay in making the appointment. Secluding himself at Twickenham Park, he wrote to Anthony about the middle of October 1594, "Solitariness collecteth the mind, as shutting the eyes doth the sight." But hope has sturdy wings. Very early in 1594-1595 Bacon wrote to Essex, "I am her first man, of those who serve in Counsel of Law"—the first direct evidence of his holding this legal office.³³ It may be that because of his seniority among the counsel at this time, he had already served in this post for a longer time than is ordinarily believed.

But Lady Bacon was not philosophical in accepting the delay. Brashly, about January 23, she visited Sir Robert Cecil and told him that Francis had been "but strangely used by man's dealing: God

³²Spedding, *L. L.*, I, 305-307.

³³*Resuscitatio*, Supplement, 85.

knows who and why . . . this time placed, and then out of doubt, and yet nothing done. Enough to overthrow a young and studious man, as he is given indeed, and as fit by judgment of wiser both for years and understanding to occupy a place as the Attorney . . . some think if my Lord [Burghley] had been earnest it had been done." Mildly and diplomatically Sir Robert answered his unstrung aunt, "Experience teacheth that her Majesty's nature is not to resolve, but to delay . . . I may think myself as hardly used as my cousin. And I tell you plainly, Madam, I disdain to seem to be thought that I doubted of the place; and so would I wish my cousin Francis to do so long as the room vacant, and bear her delay so accustomed. Let him not be discouraged, but carry himself wisely." Sir Robert was right. He had continued to act as secretary without an official appointment, trusting, indeed knowing, that he would later be appointed formally. But Bacon, even though his chance of formally obtaining the solicitorship was not so great as that of Robert of formally obtaining the secretaryship, was already performing duties of an important legal nature, duties leading directly to the solicitorship; yet he used coercion in the hope of securing the appointment. Lady Bacon's letter to Anthony giving an account of the interview with her nephew ends cannily with the statement that Cecil's "speech was all kindly outward, and did desire to have me think so of him."³⁴

The interposition of Bacon's mother may have been extremely disadvantageous to the suit of Bacon. Her rapid mental deterioration, accompanied by self-will and sudden shift of purpose, seems to have been recognized by her sons and possibly by the Cecils. Yet her devotion to her sons appears in the numerous gifts which she sent to them, including strawberries and pigeons in abundance, and in her well-intended advice as to sleep, physic, and prayer, and in her directions for their conduct of their servants and use of their coaches. But her maternal affection conflicted with her religious enthusiasm so much that, as Captain Francis Allen reports to Anthony in August 1589, she wished that Anthony "had been fairly buried" provided he "had died in the Lord."³⁵ The servant problem was especially vexatious to Lady Bacon, for the sixteenth-century servant seems to have been as much addicted to gathering and dispensing gossip and to making merry as was the typical Elizabethan master. Lady Bacon in writing to Anthony on February 3, 1590-1591,

³⁴Spedding, *L. L.*, I, 347.

³⁵*Ibid.*, 111.

warned him not to let his servant "Lawson, that Fox," have knowledge of her letter and to send the answer by Nicholas Faunt sealed because "he will pry and prattle."³⁶ On May 24, of the same year, she complains to Anthony that Francis' "weak stomach to digest hath been much caused and confirmed by untimely going to bed, and then musing *nescio quid* when he should sleep, and then in consequent by late rising and long lying in bed: whereby his men are made slothful and himself continueth sickly."³⁷ On June 29 she directs Anthony not to let his men "drink wine this hot weather; nor your brother's neither, tell him. Divers sick of hot agues."³⁸ Edward Spencer, in a letter to Anthony dated July 31, 1594, quotes Lady Bacon as saying that the travels and experiences of Anthony had "geten a weak body of his own and is diseased in the meantime."³⁹ Late in July of that year, the gossiping Spencer again wrote to Anthony saying that Lady Bacon had commanded him to hang a female dog, which he did, "whereat she was very angry, and said I was fransey, and bade me go home to my master and make him a fool, I should make none of her."⁴⁰ The ghost of the dog walked again on August 16, when Spencer complains to Anthony that Lady Bacon reprimanded him for keeping a "sparhawk" which had killed a brace of partridges. Thereupon Spencer suggested that he "pull off her head," at which Lady Bacon stormed, "I would do by her as I did by the bitch," and allowed Spencer no supper. Spencer grumbles that Lady Bacon has been quarreling with every one in the house and that she called Mr. Lawson "villain and whoremaster with other vild words"; yet all the while, Spencer says, Lady Bacon has been making her fortune a prey to ministers, to whom she has been giving with open hand. Spencer closes his letter with the lament that she has made him buy, more than was usual, "starch and soap to wash my linen."⁴¹ A proud horse, indeed, that will not bear its own provender! The burden of Lady Bacon was, however, greater than a Christian lady should be expected to carry without bowing a little.

Hoping to expedite his appointment to the solicitorship, Bacon again threatened to retire to the student's life, preceded by a trip abroad. Wind of the threat blew toward the queen through Essex.

³⁶*Ibid.*, 113.

³⁷*Ibid.*, 114.

³⁸*Ibid.*, 115.

³⁹*Ibid.*, 311.

⁴⁰*Ibid.*, 310.

⁴¹*Ibid.*, 312.

In high dudgeon, as Francis reports to Anthony on January 25, 1594-1595, Elizabeth sent for Cecil. "Why? I have made no Solicitor," she raged. "But he must have it in his own time (as if it were but yesterday's nomination) or else I must be thought to cast him away." Francis adds that Sir Robert quotes the queen as saying she would "seek all England for a Solicitor rather than take me. Yea she will send for Houghton and Coventry to-morrow next, (as if she would swear them both)" and that "she hath pulled me over the bar" [but Bacon adds warily, "note the words, for they cannot be her own"] and that "she hath used me in her greatest causes." The toll upon Bacon's philosophy was great, but calmly he declares his intention to sing a *requiem* abroad, for, "I know her Majesty's nature, that she neither careth though the whole surname of the Bacons travelled, nor of the Cecils neither."⁴²

Essex took up the cause with renewed zeal, feeling and saying that upon him rested the onus of placing Bacon and upon him would light the disgrace if Bacon did not receive the appointment.

The wearying delay in granting the suit alienated many of Bacon's friends, some of whom had lent him money in expectation of the appointment. But this alienation was not entirely the fault of Bacon's friends. Wearied of seeking and not finding, his suspicions became aroused. Suppressing his indignation outwardly, Bacon wrote to Cecil, "I was told with asseveration that your Honour was bought by Mr. Coventry [Thomas Coventry, later justice of the Common Pleas] for two thousand angels; and that you wrought in a contrary spirit to my Lord your father. . . The truth of which tale I do not believe."⁴³ Bacon and his mother had previously questioned the sincerity of Cecil, and Bacon's repeating of the tale is sufficient warrant for believing that he gave some credence to it. The value of his denial of belief is, therefore, diminished. If he really disbelieved the charge, by writing to Cecil he was merely scratching where it itched not. But it may be that if Cecil was guilty of duplicity, the sword which Bacon brandished may have made him fall into line directly. Cecil's position as secretary was no easy one; he was torn by both the loyalty and the rivalry of relationship to Bacon. Although innumerable petitions were made to him, he had not the right of decision, and yet he had to act as arbiter among the petitioners. Any variance of opinion with the queen as to this appointment might jeopardize his own unofficial duty as

⁴²*Ibid.*, 348-349.

⁴³*Ibid.*, 355-356.

secretary. He was thus not so influential as Bacon believed; in addition, he had already set down precepts for Bacon's conduct, precepts which Bacon ignored. Furthermore, Bacon was worried by delay and disturbed by debt, and his faith in humankind had been shaken to such an extent that he may have been inclined to suspect those who were doing most for him.

Calmly viewing the matter and not yet willing to cast away his hope, Bacon, on March 21, 1594, wrote to Burghley, admitting that he might have been "too credulous to idle hearsays" about Cecil, and asking his uncle to attribute his hastiness to "the complexion of a suitor, and of a tired sea-sick suitor."⁴⁴ He added that he believed that he could not make the best use of his talents in the practice of the law. Tired he was, however, and embarrassed, telling Cecil that he was "weary of asserviling myself to every man's charity." To Fulke Greville he wrote, "I have been like a piece of stuff bespoken in the shop; and if her Majesty will not take me, it may be the selling by parcels will be more gainful. For to be, as I told you, like a child following a bird, which when he is nearest flieth away and lighteth a little before, and then the child after it again, and so in *infinitum*, I am weary of it; as also of wearying my good friends. . ."⁴⁵

"Let us stay a little, that we may have done the sooner," is an adage that Bacon might well have inherited from his father. An overweening desire for immediate decision shows Bacon to have been a man of action as well as of contemplation. In a fit of self-sympathy, and feeling, or pretending to feel, that inaction by the queen was tantamount to non-acceptance, he wrote to Lord Keeper Puckering on May 25, 1595, ". . . I think her Majesty hath done me as great a favour in making an end of this matter, as if she had enlarged me from some restraint. And I humbly pray your Lordship, if it so please you, to deliver to her Majesty from me,—that I would have been glad to have done her Majesty service now in the best of my years, and the same mind remains in me still; and that it may be, when her Majesty hath tried others, she will think of him that she hath cast aside. For I will take it (upon that which her Majesty hath often said) that she doth reserve me and not reject me. . ."⁴⁶

The flickering light, however, once again brought Bacon to

⁴⁴*Ibid.*, 358.

⁴⁵*Resuscitatio*, Supplement, 89.

⁴⁶Harleian MSS. 6997, 26.

consciousness. A few days later, on June 7, 1595, he wrote to Burghley justifying his action in parliament in the matter of the subsidy.⁴⁷ Attempting to deny that it would be hazardous for the queen to appoint to the solicitorship a young man and one of contemplation, rather than an older man tempered by action and practice, he cites the case of his father, who was appointed solicitor of the Augmentation Court, in which he had never practiced, when he was but twenty-seven. In this letter, Bacon also asserts truly but inconsistently his love for the public.

The alienation of the friendship of Lord Keeper Puckering was probably more serious than the suspicion of Cecil. Bacon might well have understood that the letter which he wrote to the lord keeper on May 25, 1595, would be construed as a withdrawal from pursuit of the solicitorship. All sense of equilibrium forsook Bacon when he wrote two letters to the lord keeper, one on July 28 and another on August 19, reproving him for failing him and for offering another candidate, in Bacon's estimation inferior to himself, for the solicitorship.⁴⁸ Bacon declares that he will not take exception to the choice if a man of ability, like Sergeant Fleming, is chosen, but that if an inferior man is appointed, he will "inform her Majesty truly, which I must do as long as I have a tongue to speak or a pen to write or a friend to use." Bacon, it is apparent from the second letter, had given affront by previous correspondence—perhaps by the former letter—and by failure to recognize Puckering at the Temple. Although he attempts to condone his action, he writes, "For if it please your Lordship but to call to mind from whom I am descended, and by whom, next to God, her Majesty, and your own virtue, your Lordship is ascended; I know you will have a compunction of mind to do me any wrong. And therefore, good my Lord, when your Lordship favoureth others before me, do not lay the separation of your love and favor upon myself." Bacon's mental turmoil probably prevented his being entirely fair to Puckering, who endorsed the earlier letter, "Mr. Bacon wronging me." Essex again endeavored to become the mediator. In a letter received by Puckering on August 31, Essex tries to extenuate the conduct of Bacon by assuring Puckering that "this manner of his was only a natural freedom and plainness," and that Bacon "is as strong in his kindness as you find him in his jealousy." With excellent tact, Essex says that he would

⁴⁷*Resuscitatio*, Supplement, 1.

⁴⁸Harleian MSS. 6997, 72 and 86.

be sorry "that a gentleman whom I love so much should lack the favour of a person whom I honour so much."⁴⁹

The light of hope had failed when Bacon wrote to Puckering on October 14.⁵⁰ He had learned, perhaps unofficially, that the solicitorship was not to be his, "I conceive the end already made, which will I trust be to me a beginning of good fortune, or at least of content. Her Majesty by God's grace shall live and reign long. . . If I had been an ambitious man, it would have overthrown me." Bacon had been an ambitious man, but already he was beginning to direct his ambition in another direction. The mental and physical strain of the struggle of two and a half years had been great. On August 5 Lady Bacon wrote to Anthony,⁵¹ "I am sorry your brother with inward secret grief hindereth his health. Everybody saith he looketh thin and pale. . . I had rather ye both, with God his blessed favour, had very good health and well out of debt than any office. . ." The appointment of Sergeant Fleming on November 5 brought a measure of relief to Bacon; his nature could not endure living in shadows. Bacon, like many other great minds, could not adjust himself to uncertainty; but to fact, even when it was death to his hopes, he could become reconciled; he could embrace it, indeed, with fortitude and new hope.

When all was quiet, Bacon wrote to Essex⁵² saying that his devotion to the queen remained unaltered and that, after she knew him better, her attitude toward him would be changed, that he would not practice the law "because it drinketh too much time, which I have dedicated to better purposes," and that he partially accepted the opinion of Thales that "a philosopher may be rich if he will." He likens his release from public service to the pulling of an aching tooth, which, "when I was a child and had little philosophy, I was glad of when it was done," and says, "I would fain please myself to believe that to be true which my Lord Treasurer writeth; which is, that it is more than a philosopher morally can digest."

Essex was more wounded by the disdain of the queen than was Bacon. Elizabeth was to Essex an adopted mother, almost an in-amorata, and a sovereign; he, therefore, felt misused by the person who stood closest to him. Elizabeth was to Bacon, however, merely a sovereign, and as such believed that allegiance and service were due to her. She was a queen a bit deficient in gratitude for the

⁴⁹Spedding, *L. L.*, I, 366-367.

⁵⁰Harleian MSS. 6997, 119.

⁵¹Lambeth MSS. 651.211.

⁵²*Resuscitatio*, Supplement, 111.

services of his father and a bit lacking in perspicacity for not using him in her service.

Essex had been very generous to Bacon. He had fought his battle at the expense of his own cordial relationship with the queen, and he had sought the aid of his friends in this battle. The very zeal with which he presented Bacon as a candidate, however, contributed to the failure of the cause. Lady Bacon was quite right but not very introspective when, with her characteristic openness of statement but puerile and futile attempt to conceal a name by using Greek letters to spell the English word, she wrote to Anthony on August 5, ". . . Yet, though the *Εαρλ* showed great affection, he marred all with violent courses. . ."⁵³ Anthony and Francis Bacon had, on the other hand, given their time and excellent minds unremittingly to the cause of Essex. A man less generous than Essex might well have considered the scale in balance. But realizing that Francis Bacon had placed his future in his hands and had impaired his own fortune, Essex, with typical liberality, pressed upon Bacon a gift of land which later was sold for £1,800 and considered to be worth more. Bacon, realizing the indebtedness under which he would be placed by accepting the gift, at first declined, saying, ". . . I would not have you . . . turn your state thus by great gifts into obligations . . .," but, upon being urged by Essex, accepted with the statement, "My Lord, I see I must be your homager and hold land of your gift. . ."⁵⁴

⁵³Spedding, *L. L.*, I, 364.

⁵⁴*Ibid.*, 371.

CHAPTER VI

Playwright and Poet

THE members of the Inns of Court during Elizabeth's reign were playing major roles in the drama of life and were making the history of the drama.¹ It is only natural, therefore, that Bacon should contribute his share to this literary *genre*.

The first dramatic work of Bacon was his collaboration in *The Misfortunes of Arthur* by Thomas Hughes and seven other members of Gray's Inn, presented at Greenwich on February 28, 1587-1588. Bacon was then twenty-seven and had recently become a benchler. *The Misfortunes of Arthur*, the first English drama to make use of the Arthurian legend, is a blending of Senecan tragedy with native English legend. The source of the play is Geoffrey of Monmouth's *Histories of the Kings of Britain*, and, less important, Malory's *Morte d'Arthur*. This play follows the tradition of classical tragedy in that it employs dumb shows, the messenger, the chorus, nymphs, and the ghost. The dumb shows were prepared by Bacon with the aid of John Lancaster and Christopher Yelverton. Yelverton wrote also the epilogue to the play of George Gascoigne and Francis Kinwelmarsh, two men of Gray's Inn, entitled *Jocasta*, the first adaptation of a Greek play to the English stage. The dumb show, which anticipated the stage direction, was at this time no innovation on the English stage, having been used successfully in *Gorboduc*, by Thomas Sackville and Thomas Norton, presented at the Inner Temple on Twelfth Night of 1561-1562. *The Misfortunes of Arthur* introduces, in a sort of preliminary masque, the atmosphere of a law court.

The Inns of Court are preëminent in the development of the masque, and Bacon's dramatic intuition was of no small influence upon the seventeenth-century masques of Ben Jonson as staged by

¹Green, *The Inns of Court and Early English Drama*.

Inigo Jones. Although Bacon's essay "Of Masques and Triumphs" evinces interest in the arabesque qualities of the masque, his productions of this nature, prepared chiefly for the diversion of Queen Elizabeth, take depth from his profound nature.

On November 17, 1592, the earl of Essex entertained the queen with an elaborate triumph. In 1867, a manuscript was found in the possession of Earl Percy, later duke of Northumberland, entitled, "Mr. Fr: Bacon of tribute or giving that wch is due," containing Bacon's contribution to this device. Modeling somewhat upon the plan of John Heywood's interlude entitled *The Playe Called the Four PP.*, in which the palmer, the pardoner, the apothecary, and the peddler contest to determine who can tell the greatest lie, in which contest the palmer takes the prize for saying,

Of all the women that I haue sene,
I neuer sawe, nor knewe, in my consyens,
Any one woman out of paciens,

Bacon, in a much more tasteful manner, assembles four friends, who discuss what each considers most worthy. The first eulogizes the worthiest virtue, fortitude; the second praises the worthiest affection, love; the third exalts the worthiest power, knowledge; the fourth concludes with a tribute to the worthiest person, the queen.

On December 5, 1594, Lady Bacon wrote to her son Anthony, "I trust they will not mum nor mask nor sinfully revel at Gray's Inn. Who were sometime counted first, God grant they wane not daily and deserve to be named last." In the same year, Lady Bacon was agitated because Anthony had removed to Bishopgate Street, where she feared he might become contaminated by the plays at Bull Inn.² At this time, Bacon was collaborating in the production of

Gesta Grayorum: OR, THE HISTORY Of the High and Mighty Prince, Henry Prince of Purpoole, Arch-Duke of Stapulia and Bernardia, Duke of High and Nether Holborn, Marquis of St. Giles and Tottenham, Count Palatine of Bloomsbury and Clerkenwell, Great Lord of the Cantons of Islington, Kentish-Town, Paddington and Knights-bridge, Knight of the most Heroical Order of the Helmet, and Sovereign of the Same; Who Reigned and Died, A. D. 1594,

which was not published until 1688. During the Christmas celebration of 1594-1595, the gentlemen of Gray's Inn, choosing Henry Holmes of Norfolk to be prince of Purpoole or Portpool, the ancient name of the section in which Gray's stood, held mock court. In the most flatulent terms, on December 14 they invited their ancient allies, the gentlemen of the Inner Temple, to attend their celebra-

²Spedding, *L. L.*, I, 314 and 326-342.

tion, held first on December 20. To help defray the expense, Burghley contributed ten pounds and an embroidered purse. On Innocents' Night, December 28, the ambassador of Frederick Templarius, the sovereign of the Inner Temple, arrived, accompanied by a multitude of "lords, ladies, and worshipful personages." Innumerable of these persons, including "gentlewomen whose sex did privilege them from violence," cluttered the stage and the entertainment designed for the ambassador could not be presented. After dancing and reveling, "a Comedy of Errors (like to Plautus his Menechmus) was played by the players" and the night was afterward called "The Night of Errors," and this in spite of the fact that it was probably Shakespeare's play which was presented! The gentlemen of Gray's Inn, embarrassed though they were, laughed at their own confusion by directing His Highness' council to inquire into the cause of the confusion. On the succeeding night, it was charged that a sorcerer or conjurer was guilty of rearing scaffolds for a performance and of inviting guests thereto, only to foist "a company of base and common fellows, to make up our disorders with a play of Errors and Confusions." Burlesquing criminal procedure, the prisoner at the bar was acquitted, whereas the attorney, the solicitor, and the master of the requests were imprisoned in the Tower of London. On January 3 the entertainment was continued. After varied music, an elementary masque was presented, in which classical friends like Achilles and Patroclus and Pylades and Orestes, accompanied by Graius and Templarius, representing respectively Gray's Inn and the Inner Temple, burned incense before the altar where the Goddess of Amity was seated. The prince, after a feast, requested six of the lords of his council to advise him of means for the betterment of his state. The addresses of the prince and the replies of his councilors are, on the basis of internal evidence and the index to the Northumberland manuscript, the work of Francis Bacon. The first councilor advises the exercise of war; the second, embracing Bacon's own ideas, the study of philosophy; the third, eternization and fame by buildings and foundations; the fourth, absoluteness of state and treasure; the fifth, seeking virtue and establishing a gracious government, a speech comprehending Bacon's later advocacy of improved elementary and advanced education and modernization and purification of the legal system of England; the sixth advises the prince to engage in pastimes and sports. These speeches are concluded gracefully with the prince's suggestion that, for the moment, the advice of the last councilor be followed. As late as Candlemas

Day, February 2, 1617-1618, the students of Gray's Inn performed the tilt of Henry, prince of Purpoole, concluding with a song for the entertainment of the lord chancellor, Sir Francis Bacon.³

In 1595 a diminutive political tempest led to a dramatic production. A book published in Holland and dedicated to the earl of Essex declared that he would probably determine the royal succession. On November 3 the wrathful queen presented a copy of the work to him. Elizabeth, however, soon was appeased, and, on Queen's Day, November 17, Essex entertained her with a device, the speeches for which seem to have been written by Bacon. In this masque, Philautia (Self-love), a name apparently modeled upon the Philautus of Lyly's *Euphues, the Anatomy of Wit*, endeavors to persuade Erophilus (Lover of Love) to resist his affection for the queen and to seek his own happiness. A hermit advises him to follow a life of study and contemplation; a soldier, to follow the wars, to be rather "a falcon, a bird of prey, than a singing-bird in a cage"; a statesman, declaring, "Contemplation is a dream, love a trance, and the humour of war is raving," desires him to be a diplomat, studying the treaties between nations and the judicial decisions of his own country; a squire, much in the words of Shakespeare, says, "... your life is nothing but a continual acting upon a stage," and advises that Erophilus receive communion from the Muses by attaching himself to the queen, who excels them, and from whom he may gain more fortune and fame than from ambassadorial service or military exploits. Naturally, the audience believed that Essex, and consequently Bacon, was portraying four of the courtiers of Elizabeth, who declared that she would not have been there had she known the people would talk of her.⁴

At a tilt in 1596, Bacon wrote a speech for the earl of Sussex, apparently apologizing for the absence of the earl of Essex.

When King James, threatened with difficulty in Germany from the Roman Catholic ardor of the House of Austria, attempted to ally himself with the Protestant powers through the marriage of his daughter Elizabeth with the Count Palatine, the gentlemen of Gray's Inn and their allies, the gentlemen of the Inner Temple, prepared a joint masque entitled *The Masque of the Inner Temple and Gray's Inn or The Marriage of the Thames and the Rhine*. It was written by Francis Beaumont, a member of the Inner Temple, to be acted on February 16, 1612-1613, the night subsequent to the presentation

³Green, *The Inns of Court*, 71-83.

⁴Spedding, *L. L.*, I, 374-375.

of *The Masque of Plutus*, put on by the Middle Temple and Lincoln's Inn. As the latter masque had been brought to Whitehall on horseback, the men of Gray's Inn and the Inner Temple decided upon a procession by water. John Chamberlain, in writing to his correspondent, Sir Dudley Carleton, says that he was requested by Sir Francis Beaumont and others to superintend the river progress, for which he was well rewarded, but that a contrary tide and unruly masquers made the landing at Whitehall difficult. Despite the fact that unusual provision for space had been made, including the erection of a great number of scaffolds in both the hall and the banqueting-room and the injunction that no lady or gentlewoman should wear a farthingale, the hall was so greatly crowded that it was difficult to present the masque. More serious, however, was the fact that James, wearied with having stayed up during practically all of the two nights preceding, was not interested in the masque. Bacon pleaded with King James not to "bury them quick" by such an attitude, to which the king replied that "they must bury him quick, for he could last no longer." On the following Saturday, February 20, 1612-1613, the masque was presented. At the beginning of the masque, Jupiter and Juno desired to pay tribute to the union of the Thames and the Rhine, an idea taken from the wedding of Tethys and Oceanus in Greek mythology and found again in Spenser's poem, *The Faerie Queene*, in which the Thames and the Medway are married. This masque contains an antimasque of Mercury, in which appear four Naiads; five Hyades; four Cupids "like naked boys," garbed incongruously, however, in flame-colored taffeta; and four statues in gold and silver, as well as another antimasque, containing stock characters like the pedant, May lord and May lady, and other characters of low country life, as well as a "he-baboon" and a "she-baboon," and a "he-fool" and a "she-fool." In his essay "Of Masques and Triumphs," Bacon recommends that the antimasque be short, and notes that it commonly includes "fools, . . . baboons, . . . Cupids, statues moving, and the like." James was so much delighted with the antimasques that he requested that they be repeated, but, as one of the statues had disrobed, they could not, with propriety, be offered again. After the masque, James invited forty of the participants to a banquet in the new marriage-room. Bacon's contribution to this masque, which is distinguished by its graceful lyrics, continuity of theme, and attractiveness of costume, is indicated in the correspondence of Chamberlain, who says, "Sir Francis Bacon was the chief contriver," and in the dedication of the

work to Bacon, in the preparation of which he is described as having spared "no time nor travail."⁵

The marriage of Robert Carr, earl of Somerset, with Frances Howard, Lady Essex, the divorced wife of the earl of Essex, was the occasion of the presentation of a masque entitled *The Masque of Flowers*, by three gentlemen, supposedly of Gray's Inn, whose initials, J. G., W. D., and T. B., appear at the end of the dedication to Sir Francis Bacon, then attorney-general. On December 26, 1613, the wedding night, Thomas Campion presented for the bridal couple another masque which is frequently confused with this work. The original plan was to have the four Inns of Court present a masque to celebrate this wedding. It turned out that Bacon bore the entire cost of the entertainment offered by his Inn, although other gentlemen of Gray's, including Sir Henry Yelverton, who offered him £500, wished to help defray the expense, exceeding £2,000, or at least \$100,000 in modern values. Bacon thus paid tribute to King James; to Somerset, who acted as Bacon's patron after James had decided to appoint him to the attorney-generalship; and to the Howard family. At the same time, Bacon, although suffering financial difficulty, was feasting members of Cambridge University. John Chamberlain, in writing to Sir Dudley Carleton, says of Bacon, ". . . yet he pretends he will take no fees, nor intermeddle in mercenary causes, but wholly apply himself to the King's affairs." The dedication, which expresses love and respect for Bacon, says that Bacon was "the only person that did both encourage and warrant the gentlemen to show their good affection towards so noble a conjunction in a time of such magnificence." This masque was produced again on July 7, 1887, to commemorate the fiftieth anniversary of the crowning of Queen Victoria.

"But," says Bacon in his *De Augmentis*, "we stay too long in the theatre; let us now pass to the palace of the mind, which we are to approach and enter with more reverence and attention."

Bacon was primarily interested in poetry in its relationship to philosophy, although he was undoubtedly venting his fondness for experiment and also following the family and courtly tradition in writing and in translating verse. In the second book *Of the Proficiency and Advancement of Learning Divine and Human*, in *Descriptio Globi Intellectualis*, and in *De Augmentis Scientiarum*, Bacon divides all human learning into three parts: history, appealing to man's memory; poesy, to his imagination; and philosophy,

⁵Green, *The Inns of Court*, 105-109; Spedding, *L. L.*, IV, 343-345.

to his reason. Sir Philip Sidney, in this connection, in his *Apologie for Poetrie* (1595) says that the poet combines the methods of the philosopher, who teaches by precept, and the historian, who teaches by example. Bacon adds that poetry, "being not tied to the laws of matter, may at pleasure join that which nature hath severed, and sever that which nature hath joined, and so make unlawful matches and divorces of things." With respect to the wording, Bacon thought that poetry is connected with style and belongs to the province of rhetoric. With regard to matter, it is but feigned history, which may be written in prose as in verse, Sidney's idea being also that verse is but the raiment of poetry, and that one may be a poet without versifying, and a versifier without being a poet. The prose of Bacon, like that of Plato, is so poetic that it might well seem superfluous for him to observe the exactions of meter and rhyme, but he, like most Elizabethans, probably desired to be known as a writer of verse.

Satires, elegies, epigrams, and odes, Bacon considers related both to rhetoric and to philosophy. Poetry he further divides into narrative, representative, and allusive. Narrative, or heroic, poetry, having, according to Bacon, as its chief subjects war and love, is merely imitative of history. Bacon says, however, that narrative poetry is related to the dignity of human nature, for "as the sensible world is inferior in dignity to the rational soul, Poesy seems to bestow upon human nature those things which history denies to it; and to satisfy the mind with the shadows of things when the substance cannot be obtained. . . Whence it may be fairly thought to partake somewhat of a divine nature. . ." In thus emphasizing the divine nature of poetry, Bacon is entirely in accord with the critical works of the Renaissance, and particularly with Thomas Lodge's *A Defence of Poetry, Music, and Stage-Plays* (1579), George (or Richard) Puttenham's *The Arte of English Poesie* (1589), and Sir John Harington's preface to his translation of Ariosto's *Orlando Furioso* (1591). Bacon believes also that poetry is a civilizing force, agreeing therein with Sidney and Puttenham.

Representative, or dramatic, poetry Bacon conceived to be visible history, present to the senses, just as true history is past.

Allusive, or parabolical, poetry, of a higher nature than the other types, Bacon says serves for two purposes: first, for illustration or teaching, a type employed in the *Fables* of Æsop; and, second, for an "infoldment," the sanctity or dignity of religion and philosophy requiring that certain matters be presented "through a veil."

Bacon, thus, completely classifies the various types of poetry, showing the relationship of each to other learning. More scientifically than Sidney, he links the theories of Aristotle with those of eighteenth and nineteenth century critics, in his ethical view of poetry anticipating Wordsworth, and in his imaginative qualities adumbrating Shelley.

Although definitively rejecting the three meanings of poetry as noted by Harington, the literal, moral, and allegorical, saying that he believes the fable often written first and the moral later devised, in general Bacon's conceptions of poetics follow rather closely the standard critical works of the Renaissance, most of which seem to be imitative of Aristotle. Bacon, however, created a canon, none too original but altogether personal and differing as much from the other Renaissance critical works as they differ from one another.

It is in his last division, or parabolical poetry, that Bacon made his principal contribution to poetry, and that in imitation of older verse.

The low-toned sambuca of ancient Greece called Bacon from his brisk life at court to a more subtle, philosophic expression in verse. He dreamed of old hopes decayed, of the futility of all life, ancient or modern, as he read in one of the Greek anthologies the tenverse epigrams of Poseidippus. The tone of ineffectualness impelled Bacon to renew this forlorn lament, frustrate as his own high hopes had become.

In one of the Greek anthologies, there are approximately twenty pieces supposed to have been written by Poseidippus in the third century B. C. As the poetry of Poseidippus, like that of his friend and master, Asclepiades, is generally bacchanalian, erotic, profligate, and robust, it seems to have little in common with the temperament of Bacon. It is, however, the use of the epigram by Poseidippus that appealed to Bacon—expanded, as it had been by the Greeks, from the mere verse written for inscription upon temples and other public monuments to the flippant, amatory piece recited gaily at the dinner-table or to the sepulchral poem, a bit of verse on the enigma of life. Poseidippus of Pella, an errant son of philosophy, honored as an epigrammatist by the Ætolians in 280, and Asclepiades of Samos, weary at twenty-two of living, like Bacon turned from the brilliant life to muse upon the nullity, existence.

Alexandria during the third century of the pagan era and London in the sixteenth century of the Christian era, though nearly two millennia apart, were alike in that in both eras the divisions of

learning noted by Bacon, history, poetry, and philosophy, flourished. The Elizabethans, also following the custom of Poseidippus and Asclepiades, vied with one another. Just as the poetry of Poseidippus complements and imitates that of Asclepiades to such an extent that it became difficult for their contemporaries to determine the authorship of work done by either of them, each seeming to endeavor to surpass the other, as in their companion-pieces on the preparation for a banquet, just so friendly rivalry, in the form of a poetic debate on the nature of the best life, seems to have been engaged in by Wotton, Donne, Bacon, and perhaps Thomas Bastard, in their respective translations of Poseidippus and Metrodorus.

The epigram which Bacon translated or of which he made a *παρωδια*, for his poem seems almost original, although commonly ascribed to Poseidippus or Plato the Comic, was previously translated by Nicholas Grimald and published in Richard Tottel's *Miscellany Songes and Sonnettes*, 1557, where it is attributed to Posidonius, Syrian Stoic and friend of Cicero, or to Crates of Mallus, who, like Bacon, thought that Homer desired to express philosophic truths in poetic form. The attribution to Poseidippus seems to be more convincing and is given to him in the Palatine Anthology. The sequel, entitled by Grimald, "Metrodorus minde to the contrarie," was, like the epigram which it completes, a favorite with the Elizabethans and is expressive of the temperament of Metrodorus the atomist, probably the disciple of the laughing Democritus. Metrodorus believed, axiomatically enough, that each thing is to each person what it appears to him to be. His appeal to the supernormal mind is always great, whether in the Greek or English, saying as he did, "We know nothing, no, not even whether we know or not." Grimald's translation follows:

Man's life after Possidonius or Crates.

What path list you to tred? What trade will you assaye?
 The courts of plea, by brael, and bate, drive gentle peace away.
 In house, for wife, and childe, there is but cark, and care:
 With travail, and with toyl ynough, in feelds wee use to fare.
 Upon the seas lieth dreed: the riche, in foraine land,
 Doo fear the losse: and there, the poore, like misers poorly stand.
 Strife, with a wife, without, your thrift full hard to see:
 Yong brats, a trouble: none at all, a maym it seems to bee:
 Youth, fond: age hath no hert, and pincheth all to nye.
 Choose then the leefe of these twoo, no life, or soon to dye.

Metrodorus minde to the contrarie.

What race of life ronne you? what trade will you assaye?
 In courts, is glory gott, and witt encreased daye by daye.
 At home, we take our ease, and beak our selves in rest:
 The feelds our nature doo refresh with pleasures of the best.
 On seas, is gayn to gett: the straunger, hee shall bee
 Esteemed, having much: if not, none knoweth his lack, but hee.
 A wife will trym thy house: no wife? then art thou free.
 Brood is a lovely thing: without, thy life is loose to thee.
 Young bloods be strong: old fires in double honour dwell.
 Doo waye that choys, no life, or soon to dye, for all is well.

In a pensive mood, Bacon, about 1597-1598, wrote *In vitam humanam*, included in Thomas Farnaby's *The Anthology of the Anthology, Florilegium Epigrammatum Graecorum eorumque Latino versu a variis redditorum*, published in London in 1629 and again in 1650 and 1671:

In vitam humanam

The world's a bubble,⁶ and the life of man
 Less than a span;
 In his conception wretched, and from the womb
 So to the tomb;
 Curst from the cradle and brought up to years
 With cares and fears.
 Who then to frail mortality shall trust
 But limns the water, or but writes in dust.

Yet since with sorrow here we live oppressed,
 What life is best?
 Courts are but only superficial schools
 To dandle fools;
 The rural parts are turned into a den
 Of savage men;
 And where's a city from all vice so free
 But may be termed the worst of all the three?

Domestic cares afflict the husband's bed
 Or pains his head;
 Those that live single take it for a curse,
 Or do things worse;
 Some would have children; those that have them moan
 Or wish them gone;
 What is it, then, to have or have no wife
 But single thralldom or a double strife?

Our own affections still at home to please
 Is a disease;
 To cross the sea to any foreign soil,
 Perils and toil;
 Wars with their noise affright us; when they cease
 We're worse in peace.

⁶Jeremy Taylor, in *The Rule and Exercises of Holy Dying*, says "*A Man is a Bubble* (said the Greek Proverb)."

What then remains, but that we still should cry
Not to be born, or being born, to die?⁷

Bacon's poem, unique in that it is the only one in English in Farnaby's collection, is described in the sub-title as being in imitation of a Greek epigram of Poseidippus, who should be distinguished from the third-century dramatist of the same name who wrote a play upon which it is believed that Plautus based his *Menaechmi*, in turn the source of Shakespeare's *The Comedy of Errors*.

The first of the twin epigrams translated by Grimald is similar to Bacon's translation of the same work, except that *In vitam humanam* contains an introductory stanza setting the futile tone of the entire poem which does not appear in Grimald's poem. Bacon has, moreover, expanded the ten verses of the original and of Grimald into four stanzas, each of which contains eight verses. In Book VI of *De Augmentis*, Bacon says that English authors, "out of too much zeal for antiquity, have tried to train the modern languages into the ancient measures (hexameter, elegiac, sapphic, etc.); measures incompatible with the structure of the languages themselves, and no less offensive to the ear."

Grimald's matrix is too rigid for the expression of his philosophy, his maintenance of the iambic foot and his regular variation between the hexametric and the heptametric verse becoming somewhat monotonous. He has, however, a positive movement and a certainty of stress lacking in Bacon's poem. Bacon regularly uses the iambic foot, shifting occasionally to the trochaic foot or placing stress falsely, sometimes on unimportant words or on normally unaccented syllables, which was less offensive if the poem was set to music, as is probably the case, for its form indicates that it may have been adapted to a current tune. The stanzaic form of Bacon is superior to that of Grimald. For the five rhymes of Grimald, Bacon uses four, arranged in three couplets, each of which has a pentametric verse followed by a dimetric verse, each stanza concluding with a pentametric couplet which summarizes and, at the same time, expresses Stoic apathy and more than a flavoring of agnosticism. The three dimetric verses in each stanza are brief outbursts expressive of the frustrated, thwarted nature of all existence; the proximity of rhyme resulting from these short verses creates a musical echo. Bacon has, moreover, logically divided the content of his poem into four stanzas. The exordial stanza very generally traces the life of man,

⁷Hebel and Hudson, *Poetry of The English Renaissance*, 549-550 and 1000.

and is a diminutive morality play. The second stanza compares and contrasts court, or city, and country life. The third contrasts marriage and celibacy, and childridden and childless couples. The fourth contrasts life at home and abroad, and war and peace, closing with the question, linking the end with the beginning, whether it is better "Not to be born, or being born, to die?" His language is best described by Shelley, who, in his *A Defence of Poetry*, says that it "has a sweet and majestic rhythm, which satisfies the sense, no less than the almost superhuman wisdom of his philosophy satisfies the intellect." It is mellowed with the sadness of deep thought, for as Keats has said, "Where but to think is to be full of sorrow." Bacon has thus well blended form and thought, and has retained the epigrammatic nature of the verse of Poseidippus, creating, moreover, a new medium for the expression of the epigrammatic philosophy of the ancients. Although Bacon's verse is not sufficiently ethereal or lyrical to make it well known among the Elizabethan songs, and, at first glance, is commonplace, it found one admirer in William Drummond of Hawthornden, who, seemingly translating the same epigram, borrowed the last verse of Bacon's poem. Fatalism, futility, nescience, and a lack of dogma, unlike Bacon's definiteness and fondness for arrangement and allocation, pervade the poem, reminding one of the statement of Seneca, "If what you have seems insufficient to you, then, though you possess the world, you will yet be miserable."

In addition to the attribution to Bacon of *In vitam humanan* in Farnaby's collection of Greek epigrams, a copy of the English version of the epigram of Poseidippus was discovered among the papers of Sir Henry Wotton, the copy containing the name "Francis Lord Bacon" at the bottom. On this dual evidence, therefore, the poem seems undoubtedly to have been translated and enlarged by Bacon.

Less easy it is to ascribe to Bacon the authorship of the poem, like Horace's *Integer Vitae*, beginning, "The man of life upright, whose guiltless heart is free," sometimes ascribed to Bacon. As this poem, with extremely slight variations, was published in Thomas Campion's *A Book of Airs*, 1601, and again, with some few changes, in the "Divine and Moral Songs" section of *Two Books of Airs*, published in 1612, it is usually given to Campion. It appeared also in Richard Alison's *An Hour's Recreation in Music*, published in 1606. Bacon is reputed also to have written a sonnet, probably in 1592, in an effort to conciliate Elizabeth and the earl of Essex.

Bacon possessed signally the qualities of the "complete and excellent poet" as noted by Dryden in the postscript to the "Notes and Observations on *The Empress of Morocco*," including learning in the sciences, a philosophic and mathematical head, skill in conversation, and knowledge of mankind; yet his metrical paraphrase of the Psalms is vapid and uninspired.

In 1625, at sixty-four, broken in health and near the end of his life, Bacon published *The Translation of Certain Psalms into English Verse*, dedicated appropriately to his "very good friend, Mr. George Herbert," who became a poet and an ecclesiast of some distinction, expressing appreciation of Herbert's translation into Latin of part of the *Advancement of Learning*. Bacon says that "divinity and poesy" have met in this work; here then, as in his other aesthetic work, he is purposeful. In *De Augmentis*, he says that religion itself commonly uses the aid of poetry "as a means of communication between divinity and humanity." He says further, of parabolical poetry, that the "secrets and mysteries of religion, policy, and philosophy" should be "seen as it were through a veil" and are represented in fables or parables. Bacon, like Shelley, who wrote nearly three centuries later, believed tacitly that "poetry is connate with the origin of man."

The reexpression of the Psalms, more than the transcription of *In vitam humanam*, betrays the essentially unpoetic nature of Bacon and establishes the truth of his own belief that verse should be more than mere rhyme. Although Bacon was the author of most inspirational prose, his verse is mundane. A comparison of the prose Psalms as found in the King James Version of the Bible with the metrical version by Bacon would be manifestly unjust, for, in such case, some of the most lyrical prose in English would be compared with some of the most prosaic poetry. A sample of the first stanza of Bacon's poetization of Psalm 1 may, however, serve as a contrast between Bacon's prose and his verse as well as between the inferior metrical versions of the Psalms and the prose versions throughout the history of English literature:

Who never gave to wicked reed
A yielding and attentive ear;
Who never sinner's paths did tread,
Nor sat him down in scorner's chair;
But maketh it his whole delight
On law of God to meditate,
And therein spendeth day and night:
That man is in a happy state.

Bacon's translation, then, was not a mere literary performance, although he refers to it as "this poor exercise of my sickness" and although it must have required less effort than the work of his more active days. Bacon is attempting to simplify the simple language of the Psalms and to popularize the most inspirational of all prose works. As Hebraic poetry was measured by word-accents, it is to be expected that a rendition of the Psalms, or praise-songs, into modern verse, measured by feet and introducing modern rhyme, would cause them to lose much of the melliflence and arcanic quality of the original. The verse seems less seasoned and oracular and deep-moving, and invites criticism of its matriced form and of its tinkle, inharmonious with philosophy and venerableness. Bacon has, however, retained something of the synthetic, antithetic, synonymous, and climactic parallelism of Hebraic verse.

The practice of disseminating religion through the singing of Psalms existed in England through the translations of Sternhold and others, in France through the *Huguenot Psalter*, and in Switzerland through the *Geneva Psalter*. In Germany, the practice existed through the work of Luther, in Scotland through the *Scots Psalter*, and in America through the paraphrase of the Psalms, under the direction of Richard Mather, Thomas Welde, and John Eliot, published as *The Bay Psalm Book* in 1640.

Bacon was, then, following the custom of the day when he versified the Psalms, the form of which indicates that they were intended to be sung. That psalm-singing was common in his day is further substantiated by Shakespeare in *The Merry Wives of Windsor* (II, i), in which Mrs. Ford says that the words of Falstaff "no more adhere and keep place together than the hundredth psalm to the tune of *Green sleeves*," a tune known throughout England at this time. Bacon was, also, probably impelled to translate the Psalms because his mother and her sisters, particularly Elizabeth, as well as the latter's husband, Sir Thomas Hoby, had translated innumerable ecclesiastical works. To Bacon's mother, Theodore Beza, the successor to Calvin and translator of the Psalms, at whose house Anthony stayed when he was in Geneva, dedicated his *Meditations*. We know, moreover, that King James, not content with letting his religious reputation rest upon the translation of the Bible which was named for him, was, in 1620, being aided by Sir William Alexander in translating the Psalms.

Bacon was called, then, as if by the chime of an old cathedral bell, to the translation of the Psalms. The reason for the publica-

tion of his paraphrase is, however, indeterminable, particularly as some of his much better prose work remained unpublished. It may be that his publishers, and more than likely he, needed any money which the appearance of a popular work by him would bring; it seems from his other works that he wished to be considered an ardent Christian; and it may be that he wished to impart publicly the spiritual solace which the personalizing of these songs of praise had brought to him.

Bacon has translated seven Psalms, the first, the twelfth, the ninetieth, the one hundred fourth, the one hundred twenty-sixth, the one hundred thirty-seventh, and the one hundred forty-ninth. The meter of Bacon's Psalms is simple, the foot being consistently iambic, and the rhyme scheme never involved. In three of the Psalms, the ninetieth, the one hundred thirty-seventh, and the one hundred forty-ninth, Bacon concludes each stanza with a heroic couplet, preceded by a pentametric quatrain rhyming *abab*. The one hundred fourth is entirely in the heroic couplet; the one hundred twenty-sixth is in ballad meter; and the first and twelfth are written in tetrametric and pentametric verse, respectively, rhyming *abab cdcd*.

In the poetry of Bacon, meager though it is, are to be found the convergence of Hebraic, Greek, and English culture, of paganism and Christianity, of humanism and modern religion, and of the Renaissance and the Reformation.

CHAPTER VII

Serious Man of Letters

BACON's first important work, the *Essays*, containing the salt of human nature, can never be rejected by the race as long as it has fondness for practical wisdom and brevity of expression and lucidity. The *Essays* were, however, preceded by several other works which contain the nuclei of many of his more important writings.

Of striking interest is a letter of advice on foreign travel.¹ The authorship is usually attributed to Essex—and, indeed, it bears the signature "E."—written in January 1595-1596 to Roger Manners, fifth earl of Rutland, who was son-in-law to Sir Philip Sidney and who was granted permission, in September 1595, to go overseas. The letter offers a challenge because of resemblance of expression in this letter—which is somewhat akin to the courtesy book and the letter of counsel from father to son, both common in this day—to expression in many of the undisputed works of Bacon. A few specimens of this similarity will suffice. The letter says, "Your Lordship's purpose is to travel, and your study must be what use to make of your travel . . . your Lordship shall see the beauty of many cities, know the manners of the people of many countries, and learn the language of many nations. Some of these may serve for ornaments, and all of them for delights." The last sentence is anticipatory of the opening of the essay "Of Studies," "Studies serve for delight, for ornament, and for ability." The letter also emphasizes writing and conference, preparing the way for the well known sentence, "Reading maketh a full man, conference a ready man, and writing an exact man." Likewise the letter of advice says, "The gifts or excellencies of the mind are the same as those are of the body; Beauty, Health, and Strength," the germ of the statement in the second book of the *Advancement of Learning*: ". . . we divided the good of the body

¹Harleian MSS. 813, 7; 4888, 37; and 6265, 428; Spedding, *L. L.*, II, 6 *et seq.*

into *health, beauty, strength, and pleasure*; so the good of the mind . . . tendeth to this, to make the mind *sound*, and without perturbation; *beautiful*, and graced with decency; and *strong* and *agile* for all duties of life." The letter is thoroughly a product of its age. It recalls Ascham's *The Schoolmaster* in its exhortation to Rutland to cast off the evils of travelers of his day, especially novelty, custom, and affect[at]ion. It may well have been written or revised by Bacon for the signature of Essex; it may have been written entirely by Essex, from whom Bacon may have obtained ideas for his works; or the similarity of phraseology between the letter attributed to Essex and the admitted works of Bacon may be purely fortuitous, each having drawn from conventional ideas of the day. A second letter, evidently by the same author but without signature and bearing the salutation, "My good Lord," seems also to have been written to Rutland (who later joined Essex in Ireland and engaged in Essex' plot against the crown) to supplement the letter already discussed. In this letter the author, like Roger Ascham, deplores the fact that few travelers return to England more devout than when they left the country. The author, admonishing the addressee not to engage too heartily in the practices of the world, very shrewdly suggests that the recipient study the governments, laws, faiths, and peoples of the countries which he is visiting. The style of the second letter is much like that of Bacon, and it contains many statements similar to those in his essay "Of Travel."

Another letter, on the basis of internal evidence the third of a series, addressed "My Lord" and signed "Essex," says, "My first letter to your Lordship did contain generalities: my second was particular to direct you in course of study, and this shall only tell you what are the notes I could wish you to gather in your travel. . ."² Essex then suggests that his correspondent note the topography of each of the countries visited, the courses of the principal rivers, the state of habitation, the ports, the fortifications, the government, the laws, and the execution of justice.

Yet another letter which confutes the critics is one addressed to Sir Fulke Greville by Essex, in reply to the request of the former that Essex advise him as to what kind of information he should have collected by two or three assistants residing at Cambridge University.³ The letter, which is the kind that Bacon would have enjoyed

²Lansdowne MSS. 238, 158; Spedding, *L. L.*, II, 19 *et seq.*

³Tanner MSS. 76, 82, Bodleian Library.

writing for Essex, contains many phrases later included in the *Advancement of Learning*. The author says that collections may be made from readings either (1) by epitome or abridgment, or (2) under heads and commonplaces, and says that the latter collections are of more value. Bacon may well be speaking when the author says, "For poets, I can commend none, being resolved to be ever a stranger to them," and stating that the worst of the ancient storytellers should be preferred to the best of the modern ones. The author wisely suggests that Greville occupy himself in gathering the "chiefest things and out of the chiefest books" and that he employ other collectors in "gathering arguments and examples to prove or illustrate any particular position or question."

Although the evidence now available is not sufficient to warrant the inviting conclusion that Bacon composed these letters for the signature of Essex, it may safely be assumed that there was at this time close mental kinship between the two.

The embryo of Bacon's works is *The Promus of Formularies and Elegancies*: here are the sources of the sententious and lucid style of Bacon. *The Promus* well illustrates the axiom that a statement belongs to him who best expresses it. It is a collection (begun on December 5, 1594, or even earlier, and continued for at least two years) of original ideas and courtly compliment, of epistolary closes and transitional words, of mere phrases or words, and of aphorisms, potent in denotation and connotation. These collections, often evidently set down from memory, are notations taken from the Bible; from the ancients, including Seneca, Horace, Virgil, and Ovid; from Spanish, Italian, French, and English proverbs; and from John Heywood's *Epigrams* and Erasmus' *Adagia*. *The Promus* is, then, a commonplace book, comprising extracts and ideas from Bacon's reading, often arranged according to relationship of ideas. Sometimes the quotation seems to have been deliberately changed by Bacon in order that it might be made homogeneous with the context in which he used it.

One of the papers, folio 114, forming a part of this work, now in the British Museum, is headed "Formularies, Promus. 27 Jan. 1595," on the back of which is written "fragments of Elegancies." Bacon recommends collections such as these in the *Advancement of Learning* and in the *De Augmentis*; he says also that such collections are of two kinds:⁴

⁴*Advancement of Learning*, Bk. II.

... the one in resemblance to a shop of pieces unmade up, the other to a shop of things ready made up, both to be applied to that which is frequent and most in request: the former of these I will call *Antitheta* and the latter *Formulae*.

Anthitheta are Theses argued *pro et contra*; wherein men may be more large and laborious: but (in such as are able to do it) to avoid prolixity of entry, I wish the seeds of the several arguments to be cast up into some brief and acute sentences; not to be cited, but to be as skeins or bottoms of thread, to be unwinded at large when they come to be used; supplying authorities and examples by reference . . .

Formulae are but decent and apt passages or conveyances of speech, which may serve indifferently for differing subjects; as of preface, conclusion, digression, transition, excusation, &c. For as in buildings there is great pleasure and use in the well-casting of the stair-cases, entries, doors, windows, and the like; so in speech, the conveyances and passages are of special ornament and effect.

The Promus consists of fifty folios containing one thousand six hundred eighty extracts from the works of three hundred twenty-eight known authors of the fifteenth, sixteenth, and seventeenth centuries—ample proof that Bacon both tasted and thoroughly digested his reading. Samuel Johnson is correct when he says that a dictionary of the English language might well be made from Bacon's works; certainly *The Promus* is a compendium of Elizabethan expression.⁵ Some of the quotations from particular books are sequacious, while others are taken at random, an extract from a latter part of a source sometimes preceding an extract from an earlier part of the source. Some of the selections were apparently made to increase Bacon's vocabulary and to facilitate and make graceful his writing and speech. Other selections seem to have been made as aids to study, for Bacon says in the *De Augmentis*, v. 5, "I hold diligence and labour in the entry of commonplaces to be a matter of great use and support in studying." As is usual in keeping scrapbooks, however, Bacon probably made the entries with no one purpose in mind and with no view to particular or immediate use.

The wisdom of *The Promus* is that of the English-speaking race, which has, from the time of the Anglo-Saxon gnome, been fond of terse statement impregnated with a practical philosophy of life. This characteristic and the English heritage were strong in Chaucer, John Heywood, William Camden, the translators of the King James Version of the Bible, Bacon, and Shakespeare. The extent of the interdependence of Bacon and Shakespeare may not be determined. The similarity and identity of statement in their works, however remarkable they may seem at first glance, appear, after close examination, to be the result of the use of the literary stock-in-trade of

⁵Pott, *The Promus of Formularies and Elegancies*.

the age. It is interesting and challenging of hasty conclusion, by way of example only, to note that No. 517 in *The Promus*, "Good wine needes no bush," appears also in the epilogue to Shakespeare's *As You Like It* and that entry No. 949, "All is well that ends well," is substantially the title of one of Shakespeare's plays. Entry No. 477, "All is not gold that glisters," may be found in its more usual form in *The Merchant of Venice*, II, 7. When one considers, however, that the last epigram appeared in French literature as early as 1300, and that it was used in practically the same form by Geoffrey Chaucer, John Lydgate, and Nicholas Udall, and that the second epigram appears in Heywood's collection, a common source of the epigrams used by Shakespeare and Bacon suggests itself as well as the idea of influence of one upon the other. It is important to note that many of the proverbs in *The Promus* may be found in the proverbs and epigrams of John Heywood.

Many of the proverbs and maxims contained in *The Promus* appear also in William Camden's *Remains* of 1605, an abridgment of his *Britannia*, published in 1586. It is significant that, during the latter part of his life, Bacon revised in manuscript form Camden's *Annals of Queen Elizabeth*, which was published in 1627. As indicative of the manner in which sententious statement of the type contained in *The Promus* passed from person to person, the following entries found in *The Promus* and also in Heywood and Camden are given:

- 639. The catt would eat fish but she will not wett her foote."
(Reference to this maxim is found in *Macbeth*, I, VII:
"Letting 'I dare not' wait upon 'I would,'
Like the poor cat i' the adage.")
- 840. To looke a gyven horse in the mouthe. (This quotation appears in Erasmus as "*Equi dentes inspicere donati*, To look at a gift horse's teeth.")
- 473. He must needes swymme that is held up by the chynne.
- 637. Let them that be a'cold blowe at the coal.
- 954. Better be envyed than pitied.
- 963. Better sit still than rise and fall.

The currency of maxims in Lyly's two works, *Euphues: The Anatomy of Wit* and *Euphues and His England*, published in 1579 and 1580, respectively, is well known. It may not be uninteresting to note that *The Promus* entry No. 118, "Cceremonies and green rushes are for strangers," which appears also in Heywood, may be found in Lyly as "Green rushes are for strangers." While it is true that the Elizabethan sense of plagiarism was not well advanced, it is probably true also that most of these sayings were so common that

no one—even Shakespeare—felt that he had a real proprietary interest in them.

The use of analogy and antithesis, the source of beauty and simplicity in the King James Version of the Bible, is found in *The Promus*, some of the entries of which are from the Vulgate:

234. The glory of God is to conceal a thing, and the glory of man is to find out a thing. (Prov. xxx, 2.)

341. So gyve authors their due as you gyve tyme his due which is to discover truth. (This maxim is used similarly in Bacon's *In Praise of Knowledge*.)

In *The Promus* are examples of the manner in which Bacon has transported maxims from foreign literature to his *Essays*. *The Promus* entry No. 1595, "*Nourriture passe nature*," appears in substance in two statements in the essay "Of Custom and Education," one of which reads, ". . . nature, nor the engagement of words, are not so forcible as custom." Entries Nos. 267 and 610 in *The Promus*, both of which read, "*Di mentira y sagueras verdad*," are included in spirit in the essay "Of Truth": "A mixture of a lie doth ever add pleasure." Some of the statements in *The Promus* appear also in "Of Ceremonies and Respects" and "Of Followers and Friends." Indeed, in *The Promus* are many thoughts on all human relationships, including backbiting, dissembling, and charity, and on death—such seed as were germinated in the *Essays*.

The stream-of-consciousness method of *The Promus* shows that Bacon took all sympathy and knowledge for his province. The work contains daringly philosophical notes, such as No. 42, written by Erasmus in the Latin, "Man is man's god"; canny phrases, such as No. 944, "Better to bow than to break"; the new light of the Renaissance, such as No. 948, "Better unborn than untaught"; and waggishness such as No. 575, "It is the cat's nature and the wench's fault." *The Promus* is by turns vulgar, overshrewd, hyperpractical, arrogant, and sycophantic, but it is also generous, courtly, whimsical, and wise.

Intermediate in spirit between *The Promus* and the *Essays* stands *Of the Colours of Good and Evil*, or "Places of Persuasion and Dissuasion," published in 1597 in the volume with the *Essays* and the *Meditationes Sacrae*. The work is philosophical and ethical. In the introduction, Bacon says:

In deliberatives the point is, what is good and what is evil, and of good what is greater, and of evil what is the less.

So that the persuader's labour is to make things appear good or evil, and that in higher or lower degree; which as it may be performed by

true and solid reasons, so it may be represented also by colours, popularities, and circumstances, which are of such force, as they sway the ordinary judgment either of a weak man, or of a wise man not fully and considerably attending and pondering the matter. . . . Lastly, to make a true and safe judgment, nothing can be of greater use and defence to the mind, than the discovering and reprehension of these colours, shewing in what cases they hold, and in what they deceive: . . . which as it cannot be done, but out of a very universal knowledge of the nature of things, so being performed it so cleareth man's judgment and election, as it is the less apt to slide into any error.

Examples of the colors of good and evil Bacon enumerates also in Book VI of *De Augmentis Scientiarum*.

Over a brief text in Latin, like "*Cujus privatio bona, malum; cujus privatio mala, bonum*" [That which it is good to be rid of is evil; that which it is evil to be rid of is good] he lets his brilliant mind and broad learning play, supporting and explaining the thesis or text by such piquant statement as, "*He that is in hell thinks there is no other heaven,*" and "*Acorns were good till bread was found.*" Various "reprehensions" or animadversions of the thesis or "colour" Bacon then discusses, saying truistically that good and evil are relative. He adds pertinent stories, like that from Æsop in which the aged man, lamenting the weight of his burden, casts it down and calls upon Death, but when Death appears demanding to know why he has been called, the decrepit man replies, "Only to help me with my burden." Æsop is, by the way, the most frequently quoted of the ancients in this work. In the *Colours* may be found in molten form the cool, shining brass of the *Essays*.

A letter to Lord Mountjoy, evidently intended by Bacon as a dedication to this work but not actually appearing as such in the first printed edition, acknowledges that Bacon had his "light" from Aristotle, who "goeth for the best author," and Bacon says quaintly that he is "glad to do the part of a good house-hen, which without any strangeness will sit upon pheasants' eggs."⁶ With some modesty, but with a superior attitude toward the man with whom he agreed little while taking much, Bacon says that Aristotle was "of a hasty wit, having hardly a discerning patience, much less a teaching patience," and that he does not find Aristotle "to deliver and unwrap himself well of that he seemeth to conceive, nor to be a master of his own knowledge."

Not often does the serious lifework of a literary man perpetuate his fame. More often, his immortality lies in the work written for his own pleasure out of his heart and mind, in the literature pro-

⁶Harleian MSS. 6797, 6.

duced midway between youth and age when the author is attuned to both, in the writing created when the sympathy of youth is coursing through his body and the wisdom of age is ripening his mind. Thus it is with Bacon: not the *Instauratio Magna* but the *Essays* will last as long as life lasts. And Bacon recognized this fact. In a letter to Bishop Lancelot Andrews dedicatory to *An Advertisement Touching An Holy War*, which was written in 1622 and published in 1629, he says:

As for my *Essays*, and some other particulars of that nature, I count them but as the recreations of my other studies, and in that sort purpose to continue them; though I am not ignorant that those kind of writings would with less pains and embracement (perhaps) yield more lustre and reputation to my name than those other which I have in hand.

The philosophical essay, a genre as old as mankind itself, or at least as old as the reflection and wisdom of mankind, was of course not originated by Bacon, who says in a discarded dedication to Prince Henry intended for the second edition, "The word is late, but the thing in auncient. For Senecaes Epistles to Lucilius; yf one marke them well, are but *Essaies*,—That is dispersed *Meditacions*." Bacon was a pioneer in little; he was a popularizer of the better ideas of others, as was his great contemporary Shakespeare, and he was the more renowned for being so, inasmuch as life values popularity more than originality. "Concerning Friendship" (*Laelius de Amicitia*) by Cicero, is the archetype of Bacon's essay "Of Friendship"; yet the timbre of the two essays is entirely different, for Cicero has exalted this relationship to mutual regard of kindred minds, while Bacon has debased it to serviceableness. Friendship, says Cicero, is sprung from pure good-will and is not utilitarian, although some points of practical advantage may be obtained from this kinship. Bacon, on the other hand, as if esteeming one of the concomitants of friendship to be of greater worth than the relationship itself, is tempted by the fruits of friendship. Floating informally between Cicero and Bacon on the waves of thought concerning friendship is Montaigne, whose essay was composed with the alternating white light of friendship and the dusky shadow of the death of his friend, Etienne de la Boétie, still hanging over him. Montaigne quotes Aristotle, ". . . the good legislators had more respect to friendship than to justice," but he is more idealistic than to believe that true friendship can be the result of a social, venerean, hospitable, or natural bond. Friendship to Montaigne is inexplicable. "I am his friend," he says in effect, "because he is he, and I

am I." The will of one man plunges and is lost in that of another, and the concurrence of the will of the other plunges and is lost in that of the first loser. Although Montaigne may be admired for confiding in his readers, for laying bare a social soul, Bacon may be admired for his practicability, for his keen analysis (the result of service at the sophisticated court) of the dubious relationship which passes as friendship, as well as for his blending of the utilitarian alloy with the pure gold of friendship that the compound might be more durable in the barter of a material world. The titles of many of the essays of Bacon and of Montaigne are almost identical. Bacon took the name of his entire collection from Montaigne even though he repudiated the meaning of the word *essay* as it had been used by Montaigne and applied it to a collection of maxims of a type quite popular in sixteenth-century Europe. Yet the work of Montaigne, on the one hand, and of Bacon, on the other, represents the distinction between subjectivity and objectivity. Montaigne wrote from his perennially youthful heart, Bacon from a mind that shielded an atrophied heart.

In the critical essay likewise Bacon reverted to an ancient form, that of Aristotle's "Of Tragedy." In addition to Aristotle and Montaigne, Bacon turned to Herodotus, Homer, Horace, Lucan, Lucian, Lucretius, Ovid, Plato, Plautus, the Plinies, Plutarch in the North translation which Shakespeare used, Seneca, Suetonius, and Virgil. Bacon did his best work when he viewed life from an ancient elevation or when he looked back through the silver haze of the years at the earlier thoughts, for only then did he write of experiences common to mankind. Those essays such as "Of Masques and Triumphs" which were written immediately out of his experience tend to become more directive than philosophic.

But Bacon did not have to revert to older and foreign literature for models of his composition. On June 2, 1596, an anonymous work entitled "Remedies against Discontentment" was registered for publication. This collection of essays, dedicated to Edward Coke, appeared in the same year, perhaps even before the end of the year and certainly before 1598. Another prototype is Burghley's letter essay to his son, Robert Cecil, entitled "The Well Ordering of a Man's Life," in which he advises his son, ". . . seek not to be Essex; shun to be Raleigh." Bacon himself somewhat before he published his essays was composing *Short Notes for Civil Conversation*, published in the *Remains* in 1648. In this work, strikingly similar to the essay "Of Discourse," Bacon suggests the adaptation of speech

to occasion and condemns jesting in religious and political matters. As in "Of Discourse," he says, "To use many circumstances ere you come to the matter, is wearisome; and to use none at all, is but blunt."

Many of the other essays of Bacon are retrocognitive. From his own observation and experience, from his failures and successes, Bacon has created a practical philosophy. In no important sense do the *Essays* represent what Bacon actually did, but many of them shine with reminiscence. "Of Counsel," "Of Delays," and "Of Cunning" recall Bacon's life at court; "Of Building," his construction of Verulam House; "Of Friendship," his fondness for Sir Tobie Matthew; "Of Regiment of Health," his attempts to conserve his strength; "Of Plantations," his membership in the company of six hundred fifty-nine adventurers who in 1609 were attempting to colonize Virginia; and "Of Gardens," his planting of trees and flowers at Gray's Inn. The flowers of the last essay are unfortunately those of the herbarium, as sweet as the Chinese *Jasminum*, but catalogued efficiently; and the trees are those of the park, artistically and scientifically arranged, but lacking the luxuriance and irregularity of those of the forest. But Bacon was interested in the formal garden. He is both a belated and an anticipatory classicist, with little of the romantic imagination of his Elizabethan contemporaries, who (notably Shakespeare and Spenser) though cataloguers of trees and flowers, added to their work a fervor not found in the heart of Bacon.

There is little human devotion in the *Essays*. But they are fertile with reason and burnished like steel. Voltaire found Bacon an "écrivain élégant"; Coleridge said that his writing is plain but dignified, yet lightened by a superior intellect. Addison saw in his work the comprehensive knowledge of Aristotle and the grace of Cicero; Thomson found that his "rich soul" joined "Plato, the Stagyrte, and Tully." Pope, who otherwise maligned Bacon, said that he was "the greatest genius that England, or perhaps any country, ever produced." And torrents of inspiration in the *Essays* came to William Drummond, John Hall, and many others.

The *Essays* are mechanically a series of contrasts, or of arguments in support or refutation of ideas, presented in a judicial manner. There is, however, no decision—a fact that gives realism to his utterances, for there can be no decision, no finality, in the more important matters in life. Yet this very lack of decision is considered

a fault by many of the readers of the *Essays*, for the human mind likes finality in literature, if not in life.

The essays are international literature: they have been translated into practically every known tongue. Bacon personally supervised the translation into Latin. In the dedication to the edition of 1625 he says, "I do conceive that the Latin volume of them (being in the universal language) may last as long as books last." Only three of the many editions in English are especially important: that of 1597 containing ten essays; that of 1612 containing thirty-eight essays, in which nine of the previously issued essays, enlarged, were included; and that of 1625, in which thirty-eight of the previous essays, augmented, were included. There are extant in addition one authentic but incomplete essay and two essays doubtfully attributed to Bacon.

The 1597 edition contains the following essays: "Of Studie," "Of Discourse," "Of Ceremonies and Respects," "Of Followers and Friends," "Of Sutors," "Of Expence," "Of Regiment of Health," "Of Honour and Reputation," "Of Faction," and "Of Negotiating."

The dedication to the edition of 1597, which sold for twenty pence, opens: "LOUING and beloued Brother, I doe nowe like some that haue an Orcharde il neighbored, that gather their fruit before it is ripe, to preuent stealing." The edition of 1612 bears a dedication to Sir John Constable declaring that Bacon's business found rest in his contemplations. The edition of 1625, dedicated to the duke of Buckingham, refers to the *Essays* as being "of the best fruits" which Bacon's labor could yield, and says that they have been more current than his other work because "they come home to men's business and bosoms."

In the correction and enlargement of the *Essays*, the development of Bacon's mind is best seen. In the later editions many of his attitudes, notably that toward friendship, have been silvered with age. Although Bacon's dedication to Bishop Andrewes, written in 1622, says that the essays were but recreations from other studies, it may well be that the editions of 1612 and 1625, in which some of the essays published in 1597 have been altered and expanded and in which additional essays were published, were intended to form a division or to be used as illustrations of a greater work. They may conceivably have been inspired by a discussion of moral and civil knowledge in the *Advancement of Learning* and might appropriately have been inserted under that or a similar heading in the complete *Instauratio Magna*. In the *Advancement of Learning*, Bacon speaks of "those impressions of nature, which are imposed upon the mind

by the sex, by the age, by the region, by health and sickness, by beauty and deformity, and the like, which are inherent and not extern; and again those which are caused by extern fortune, as sovereignty, nobility, obscure birth, riches, want, magistracy, privateness, prosperity, adversity, constant fortune, variable fortune . . . and the like." Many of the subjects mentioned here have become the titles of later essays, particularly of those published in 1612.⁷

In language, in which Bacon has revived many obsolescent words and has created a number of neologisms, and in rhetoric, the *Essays* are of antiquarian interest. In thought they are as fresh as they were when they were composed, for truth is permanent, or, as Bacon has expressed it brilliantly, "Truth may perhaps come to the price of a pearl, that sheweth best by day; but it will not rise to the price of a diamond or carbuncle, that sheweth best in varied lights." A few additional adages, which are on the lips of the entire world, will suffice to emphasize the keenness of penetration and popular wisdom of the *Essays*:

"Death . . . openeth the gate to good fame, and extinguisheth envy."

"For envy is a gadding passion, and walketh the streets, and doth not keep home . . ."

"There is a superstition in avoiding superstition . . ."

"Fortune is like the market; where many times, if you can stay a little, the price will fall."

"To choose time is to save time . . ."

"If you dissemble sometimes your knowledge of that you are thought to know, you shall be thought another time to know that you know not."

"I cannot call Riches better than the baggage of virtue."

"Nature is often hidden; sometimes overcome; seldom extinguished."

"Praise is the reflexion of virtue."

"Virtue is like a rich stone, best plain set."

"Certainly virtue is like precious odours, most fragrant when they are incensed or crushed . . ."

The similitudes, the contrasts, and the maxims of the *Essays* are as old as English literature. The kenning, the antithetic expression, and the gnome of Old English became popular in Middle English—for instance, in the works of Hendyng like "Brend child fur dredeth"—and attained real power in Elizabethan English. The epithets which Bacon collected in his notebooks were put to good use, for the first edition of the *Essays* is little more than a series of

⁷See the excellent discussion of Ronald S. Crane in "The Relation of Bacon's *Essays* to His Program for the *Advancement of Learning*," *Schelling Anniversary Papers*, 87-105, in which Crane says that Bacon's change of manner in the later essays was due chiefly "to the renewed momentum given to writing in 'methods' by his labors on the *Advancement of Learning*."

disjunctive thoughts and musings, axiomatically expressed, conforming to Dr. Johnson's definition of an essay as "an irregular, undigested piece"; in the later editions, however, the seams are less visible. It is, though, the very compression of the first edition of the *Essays*—and the rejection of transitional ideas—which gives it vigor and charm. The starkness of Bacon creates a virginity of style, a cold oracularness, rivaled at the other pole by Shakespeare, whose exuberance and luxuriance create an exotic voluptuousness. Never is Bacon impassioned or intoxicated by his own expression, as is Shakespeare, but Bacon was not a creative artist; no refreshing water is mingled with the pure wine of the *Essays*. It is happy that there is little facetiousness in the *Essays*, for but little salt is needed in the loaf upon which life feeds. The reader is mentally delighted with the turns of ideas of the *Essays*, but he never smiles outright or laughs as he reads. Sustenance for the intellect is to Bacon supreme; sustenance for the body and spirit are of secondary importance. It is easy to believe that Gibbon, looking past his terraced garden at Lake Geneva, wore lace cuffs as he wrote his *History*, but very difficult to believe the fact that Bacon, while composing, listened to soft music or smelled fresh-cut flowers to refresh his spirits. There is little of contemporary life in the *Essays*. There are no cozeners or comedians, no trapesers or tragedians; there is no exposé of political strife or of religious struggle; there is no green countryside, no purling stream, no silver English mist, but there is a universalization of thought. Bacon was a discoverer of truth: life was to him fact, not fantasy; he wrote for all thoughtful temperaments and ages.

In architectonics, Bacon is unparalleled. He was a master of prose harmony, but, because he could never quite forget his audience, he could never play as only a blind man can play; too much of life he saw, not too little. He knew the need for being, and surely for appearing, moral. There is a resultant self-righteousness, a sanctimoniousness, about the *Essays* which make them almost unmoral. Despite the Biblical style of the *Essays*, seasoning the flavor, there is little of the quiet modesty and self-abnegation of Christ in this work. Nor is there aught of the sacrifice of Socrates, or of the agnosticism or metaphysics of Plato which so poetically tinged the thought of the Elizabethan poets, or of the devout sincerity of the mediaevalist. There is, indeed, nothing eschatological about the *Essays*. They treat of the earthy world; they are the reflections, often the machinations, of a man endowed, or cursed, with an avidity for success. They are

not untainted by the political dogma of Machiavelli—and they are the greater for being so. Although the *Essays* do not transcend the sphere of human, material thought, they generously liberalize that thought. Man, with all his faults and virtues, is accepted frankly and is treated with dignity by Bacon, without apology or commendation. Each person who reads the *Essays* sees his own disappointments and ambitions, his vices and virtues, reflected therein, and is unashamed. Bacon's *Essays* is a guidebook for Everyman.

Bacon's *Meditationes Sacrae* was published in the volume issued in 1597 containing also the *Colours of Good and Evil* and the *Essays*. This volume thus contains Bacon's musings in practical, ethical, and religious philosophy. The germ of the *Religious Meditations* appears in some holographic notes to be found with *The Promus of Formularies and Elegancies*.⁸ Bacon composed his meditations in Latin, believing, as he wrote to Tobie Matthew, that "these modern languages will at one time or another play the bank-rowte with books, and since I have lost much time with this age, I would be glad if God would give me leave to recover it with posterity."

Although some of the passages of *Religious Meditations* are tintured with cant, the work reveals intensive study and personalization of the Bible. One might well expect Bacon to attempt to rationalize religion: he is content, however, with a tender retelling of old stories; the parallelism and antithesis are those which have beautified the Bible. Of Christ he writes, "The spirit of Jesus was the spirit of the dove. . . He multiplied the scanty store of loaves and fishes that the host of people might be fed. He rebuked the winds because they threatened danger to them that were in the ship. He restored motion to the lame, light to the blind, speech to the dumb, health to the sick, cleanness to the lepers, sound mind to them that were possessed of devils, life to the dead. . ." A brief text such as, "Sufficient unto the day is the evil thereof," launches Bacon on the flood of thought. Developing the idea practically, he reflects the spirit of the Spanish proverb, "To-morrow, to-morrow; and when to-morrow comes, to-morrow," and is in harmony with the *carpe diem* doctrine of the Elizabethan lyrist when he says, "For we ought to be creatures of to-day, by reason of the shortness of life, not of to-morrow: . . . for to-morrow will have its turn and become to-day . . ."

⁸Harleian MSS. 7017.

"Of Heresies" contains Bacon's conception of the dual cause of error: "ignorance of the will of God, and ignorance or superficial consideration of the power of God." To those who believe that life in the future is nonexistent, Bacon says that they are unknowing that "it is no less the work of omnipotence to make nothing of something, than to make something of nothing." "Of the Kinds of Imposture" and "Of Atheism" are basically secular essays, the latter including *verbatim* a number of ideas of the famed essay by the same title. "Of Earthly Hope" opens rationally: "The sense which takes everything simply as it is makes a better mental condition and estate than those imaginations and wanderings of the mind." He closes by saying that hope should be employed upon the heavenly life, but that, in the earthly life, the soul is wiser and better uncolored by the imagination.

"A Confession of Faith," written by "Mr. Bacon" (apparently before he was knighted) smacks of the spirit of the age—one in which original swearing and original praying were esteemed.⁹ It reveals, as does the *Meditations*, the deeply religious spirit of the author at a time as early, perhaps, as Sir Walter Raleigh's School of Atheism was blooming luxuriantly and Kyd and Marlowe were being persecuted for having written supposedly anti-Christian tracts. Too often disingenuousness has been attributed to the writings of Bacon. It is a fact that, in a time of doubt and denial, an affirmation of belief would tend to fortify Bacon's position at court and might even effect his advancement. It is more probable, however, and certainly more generous to Bacon to believe that his rigorous early religious training, an innate desire to make fast the faith at a time that it was wavering, and pure devoutness of heart (an hypothesis supported by the fact that the "Confession" was not published until after his death) impelled him to write this work.

The *Religious Meditations* found its source directly in the Bible. The "Confession" seems to be an interpretation in elaborated form (as is *The Institution of a Christian Man*, 1537) of the Apostles' Creed as it appears in The Second Prayerbook of King Edward VI of 1552 and in the Prayerbook of Queen Elizabeth of 1559. Both are substantially followed in the Book of Common Prayer used to-day, which, in turn, has its principal source in the Bible. Similarities appear also between the Nicene Creed, of course, and the confession "in the feasts." Bacon declares his belief in God, "I believe that

⁹*Ibid.*, 1893, 1.

nothing is without beginning but God," who "created heaven and earth," and in Jesus Christ, "who was conceived by the power and overshadowing of the Holy Ghost, and took flesh of the Virgin Mary," was "crucified at Jerusalem," and, being dead and sepulchered, "the third day he raised himself from the bonds of death," "ascended into heaven," "and shall from thence at the day appointed come in greatest glory to judge the world." The remainder of the Apostles' Creed finds close parallels *seriatim* in the "Confession" of Bacon, including Bacon's affirmation of the existence of "an universal or catholic Church of God" and of a life which "is everlasting without change." Bacon conceives, however, of a tripartite eternity: that existing before the creation, that continuing from the creation to doomsday, and that which "is everlasting without change." He affirms, also, belief in the succession of the priesthood from the time of the Apostles and in Christ as "a corner-stone to remove the separation between Jew and Gentile."

An unqualified attribution to Bacon of *The Characters of a Believing Christian, in Paradoxes and Seeming Contradictions* is impossible. It has been rejected by Bacon's more recent editors primarily because Dr. Rawley did not include it among the authentic works of Bacon and because he said that many pamphlets had been published under Bacon's name which could not be "owned" for his. This work, seemingly in spirit that of a young man, first appeared under Bacon's name in 1643 and was published with the *Remains* in 1648. The style and subject of this religious, or irreligious, tract suggests that of Overbury or Hall. If Bacon wrote *Christian Paradoxes*, it is unique among his works, for nowhere else has he patently questioned the faith, although in his discussion of earthly hope in *Meditationes Sacrae*, as in the *Essays*, the *New Atlantis*, and other works, he separates imagination and fact, and religion and reason. Superstition, Bacon has said repeatedly, is worse than atheism. Although *Christian Paradoxes* has little of the illustration or quotation of the works accepted by Bacon, it contains figures of speech which appear elsewhere in Bacon, one of which is that of the dove and the serpent, found also in the *Advancement of Learning* and *Meditationes Sacrae*. The antithetical structure is likewise that of the *Essays*, in which the affirmative and the negative are juxtaposed, a real conclusion being but inferential. A single paradox of the thirty-four will suffice to indicate the style:

He believes a virgin to be a mother of a son; and that very son of hers to be her maker. He believes him to have been shut up in a narrow room, whom heaven and earth could not contain. He believes him to

have been born in time, who was and is from everlasting. He believes him to have been a weak child, carried in arms, who is the Almighty; and him once to have died, who only hath life and immortality in himself.

It may, of course, well be that this work could not be "owned" as one of Bacon's for reasons politic. Without greater evidence than that which now exists, however, this tract, in spirit contravening that of the unquestioned works of Bacon, should be rejected or certainly strongly questioned.

"A Prayer Made and Used by the Late Lord Chancellor," attributed to Bacon by the editor of the *Remains*, has its parallel in the Book of Common Prayer. Opening with the exhortation, "O Eternal God," Bacon quotes substantially Psalm XIX, 14, and continues with his prayer, which is very similar, in places, to A General Confession contained in the present Book of Common Prayer, which follows A General Confession of The Second Prayerbook of King Edward VI and The Prayerbook of Queen Elizabeth. It resembles also A General Thanksgiving, contained in the Book of Common Prayer used today.

"The first Prayer, called by his Lordship The Student's Prayer," found in the *Baconiana* and published in Latin by Bacon in the preface to the *Great Instauration*, supplicates "God the Father, God the Word, God the Spirit" to "open to us new refreshments out of the fountains of his goodness, for the alleviating of our miseries."

"The second Prayer, called by his Lordship The Writer's Prayer," likewise appears in the *Baconiana*, and closes "The Plan of the Work," introductory to the *Great Instauration*. It invokes the Lord to "protect and govern this work, which coming from thy Goodness returneth to thy Glory."

The greatest mind, thus, of the greatest modern age found comfort in both the prose and verse of the Bible and the Book of Common Prayer, as have many less brilliant minds in less brilliant ages. In his darkest moment, after his fall, Bacon, in his last prayer, said, "I have loved thy assemblies, I have mourned for the divisions of thy Church, I have delighted in the brightness of thy sanctuary." In his greatest success likewise he declared that he had given "unto Faith the things that are Faith's."

CHAPTER VIII

Essex, the Irish Legionnaire

NEW hope glimmered for Bacon, distraught with disappointment in office-seeking and the necessity of selling some of his lands to satisfy his creditors, when Sir Thomas Egerton succeeded Lord Keeper Puckering, leaving the mastership of the rolls vacant. Again Bacon pursued the mirage. More subtly than usual, he wrote to Essex in profuse compliment of Egerton—who is better known by the secretary whom he discharged, John Donne, than through his own merits—and suggested that Essex “take knowledge to my Lord.” The letter was sent through his brother Anthony, who spoke for the mastership for Francis. Essex, preparing on the southwest coast of England for his brilliant expedition to Cadiz, with characteristic generosity wrote immediately to the lord keeper; to Lord Buckhurst, co-author of the first English tragedy, *Gorboduc*; and to Sir John Fortescue in support of the nomination of Bacon for the mastership of the rolls. In the first letter Essex said, “. . . there is no gentleman in England of whose good fortune I have been more desirous.” To Bacon, Essex wrote a sympathetic letter, complaining justly of the difficulty of his command because of the combination of land and sea forces and the equality of the officers.¹

In a letter of counsel written by Bacon to Essex on October 4, 1596, he says, “I am infinitely glad of this last journey, now it is past,” and he advises Essex to content himself with his military success, urging that the queen loves not warfare or the expense thereof.² A shadow of truth exists in Bacon’s statement in the *Essays* that friendship cannot subsist between two equals. But it is likewise partially true that friendship between patron and protégé is also unstable. The patron feels secure in the relationship, and the

¹Lambeth MSS. 657.139; Spedding, *L. L.*, II, 30-36.

²*Resuscitatio*, Supplement, 106.

protégé, with imperceptibly increasing influence, attempts to direct the activities of the patron. Bacon, ambitious for himself as well as for Essex and showing his first real dissent with Essex, asks whether the earl's fortune does not comprehend also his, and whether Essex has previously been injured by his advice. If Essex had been sufficiently wise or politic to follow Bacon's suggestions, he would not have destroyed himself. He seems to have been deterred momentarily in his headlong course to destruction, but only momentarily, for his impetuous nature would naturally fling off any restraint imposed upon it. Bacon advises primarily that he "win the Queen. If this be not the beginning, of any other course I see no end," pointing out that Essex was a "man of a nature not to be ruled," of military fame, and of great popularity with the folk, and consequently a dangerous image to Elizabeth. Bacon exhorts Essex, in order to overcome the impression that he is not tractable, to forget the past; not to avoid court favorites but to praise them to the queen; and to pay tribute to Elizabeth in familiar speech, in clothing, and in gesture, and if she object to his plans for travel, deliberately conceived for the purpose, or to his pleas on behalf of a friend, to yield to her graciously. To remove the opinion that Essex is avid of military success, Bacon advises him to seek a peaceful office like that of the keeper of the privy seal, not one military, like the post of earl marshal or the mastership of the ordnance; to bring into the council a military man friendly to himself, in order to overshadow his own military reputation; and to appear "bookish and contemplative." To minimize the belief of the queen that Essex was excessively popular, Bacon advises that he speak vehemently "against popularity" but quietly continue in his present course in this respect and forego monopolies and oppressions. Last, and most important, Bacon urges Essex to supplant himself by another favorite whom he might utilize at his discretion. The heights and depths of Essex' passion were, however, too great for him to remain on solid earth; he did not know that sometimes a high rise is followed by a low fall.

Philip II sought requital for the sack of Cadiz when he dispatched a huge armada against England in the fall of 1596 under the command of the adelantado of Castile, but season and sea conspired against him, causing him to lose many ships and thousands of men.³ When word reached England in the winter of 1596-1597 that Philip was again plotting revenge, Elizabeth decided to place Lord Thomas Howard, Sir Walter Raleigh, and Essex in equal command, at word

³Cadwallader, *The Career of the Earl of Essex, seriatim*.

of which Essex became sullen and declared his intention to remain at home. He was morose also because both he and his candidate for the wardenship of the Cinque Ports were denied the post. He was, however, appeased by being appointed to the mastership of the ordnance, a position which Bacon had urged him strongly not to seek or accept.

Essex, receiving final instructions on June 15, 1597, eventually, after having to return to England for repairs to ships damaged by tempests, set out for the Azores, where he hoped to intercept the Indian fleet. He divided his own craft into three squadrons, commanded respectively by Lord Thomas Howard, Sir Walter Raleigh, and himself. Confusion of orders, the mistaking of a part of his own fleet for Spanish vessels, and the failure of his three squadrons to act in concert lost the treasure-laden vessels to Essex. Although a part of his fleet encountered enemy ships, it lacked strength to capture them. Two frigates and a large ship of the governor of Havana which surrendered to Essex, together with a grounded enemy vessel taken by Raleigh, adequately compensated Elizabeth for the expedition. But she was meanwhile at home writing to Essex, ". . . if now the Indian fleet should be missed in regard to your being forced to return before that fleet should come homeward, we should think ourselves in much worse case than when the action did begin."⁴ Raleigh in the meantime had, in contravention of orders, landed at Fayal and had taken the city as well as much of the glory of the expedition, whereupon he was subjected to courtmartial.

Elizabeth vented her displeasure when Essex returned to court on October 29. She lamented bitterly that he had oppressed Raleigh and that he had done little to recompense her for the expedition. Essex replied, "Se wee having failed of nothing that God gave us means to doe; we hoped her Majestie will think our painful dayes, carefull nights, evill diet, and many hazards deserve not now to be measured by the event." Essex' discontent was aggravated by learning that on October 23 Charles Howard, baron of Effingham, who had commanded the sea forces in the Cadiz expedition, had been created earl of Nottingham and lord steward, thus giving him precedence over Essex, who declared that he would have the patent altered. Essex was, however, again pacified when he was given priority over Effingham by being created earl marshal of England, and thus the perennial English struggle for the ascendancy was, with the resignation of the stewardship by Effingham, tranquilized.⁵

⁴Cadwallader, *Ibid.*, 2-3.

⁵Spedding, *L. L.*, II, 89-91.

Bacon was meanwhile at home seeking to improve his fortune. At the time apparently he was writing to Burghley saying contradictorily:

I see well the Bar will be my Bier, as I must and will use it rather than my poor estate or reputation shall decay. But I stand indifferent whether God call me, or her Majesty. Had I that in possession, which by your Lordship's only means, against the greatest opposition, her Majesty granted me, I would never trouble her Majesty, but serve her still voluntarily without pay.⁶

No doubt Bacon could have served Elizabeth without reward had he been able to marry advantageously—the goal of most courtiers. Sir Christopher Hatton's widow, the daughter of Sir Thomas Cecil, who was the stepson of Bacon's aunt, offered one of the best alliances in England because of her beauty, her wealth, and her relationship to Burghley. To her Bacon turned ambitious eyes, but instead of wooing Lady Hatton ardently, if none too sincerely, he bore his domestic burden to Essex, soliciting him to write to the lady and to her parents in his behalf. To Sir Thomas Cecil, Essex immediately wrote telling him that he might easily judge the "advantages you may give both to yourself and to your house by having a son-in-law so qualified, and so likely to rise in his profession."⁷ Such synthetic courtship the lady seems not to have relished, for, once more the paths of the two lifelong antagonists crossing, on November 1, 1598, Lady Hatton married Edward Coke, who, having once married into the Paston family happily, now married into the Cecil family unhappily. Well might Bacon write in a letter to Villiers on August 12, 1616, "Fortune is of a Woman's Nature, and will sooner follow by slighting, than by too much Wooing."

Already each of the two friends must have suspected that the other was a burden. Essex must have felt that Bacon asked more than he gave, and Bacon that Essex' variable temperament made his intercession disadvantageous.

Bacon's disposition was in many ways as wavering as that of Essex. He knew how to request and demand, and he knew how with dignity to plead on bended knees and to brush the earth from his knees if his plea was not granted. In 1597, he wrote to Burghley acknowledging the sponsorship of his uncle which had obtained for him the reversion to the clerkship of the Star Chamber, but he added:

The time is yet to come that your Lordship did ever use or command or employ me in my profession, in any services or occasions of your Lord-

⁶*Resuscitatio*, Supplement 88.

⁷Birch, *Memoirs*, II, 347.

ship's own, or such as are near unto your Lordship; which hath made me fear sometimes that your Lordship doth more honourably affect me, than thoroughly discern of my most humble and dutiful affection to your Lordship again.⁸

An investigation being conducted by Lord Keeper Egerton into the legality of the collection of certain fees by the clerk of the Star Chamber made it possible to discharge the incumbent. If the discharge could be effected, the office would be vested in Bacon. Keenly alive to his own interest, Bacon wrote to Egerton a long statement of his opinion of the case, as well as a letter suggesting that if Egerton, who in conformity with the custom of the day had at his disposal the mastership of the rolls, would name him for that office, Bacon would in turn name John Egerton, the son of the lord keeper, as his successor to the clerkship of the Star Chamber in the event that the latter office were vacated. But such exchange of office was not effected, for in February 1600-1601 the complaints against William Mill, then holding the clerkship, were dismissed in the Star Chamber.⁹

The parliament of 1597, which was convened finally on November 5, was thoroughly united, as is possible only in time of severe stress or smug peace. In this parliament, Bacon's ambition found expression. He was a member of nearly every committee. He seconded a motion for a reformation of the penal laws, and he reported to the House of Commons on conferences with the House of Lords concerning an enlarged navy. He spoke at length also against enclosures and depopulation and in support of tillage, urging, with the poetic eloquence of a Goldsmith—"And I should be sorry to see . . . in England, instead of a whole town full of people, none but green fields, but a shepherd and a dog"—the revival of laws of Henry VII designed to convert farms into grazing lands. Bacon spoke also in support of subsidy in the same amount as that granted by the previous parliament.¹⁰ He may have believed sincerely that the people had not been oppressed by the subsidy previously imposed upon them, or he may have decided, as he had written to Lord Keeper Egerton during the same year, ". . . I will not, as the proverb is, spit against the wind, but yield so far to a general opinion, as there was never a more particular example." The tone of Bacon's speech appears sincere even when he enumerates such fallacies as, "Sure I am that the treasure that cometh from you to her Majesty is but as a vapour which riseth from the earth and gathereth into a cloud, and stayeth

⁸*Resuscitatio*, Supplement, 90.

⁹Queen's College, Oxford University, MS. Arch. D. 2; Spedding, *L.L.*, II, 57-60.

¹⁰Spedding, *L.L.*, 82-89.

not there long, but upon the same earth it falleth again . . . ”¹¹ Busy though he was, Bacon found time during 1598 to issue another edition of his *Essays*.

Essex' absence at court necessitated loss of contact with the campaign in Ireland. The proper conduct of affairs in the neighboring island was very close to Essex' heart because of the service of his father, Walter Devereux, in that country. As early as 1575, Hugh O'Neill, earl of Tyrone, who had divided his time between Ireland and the English court and who was accused of having had treasonable correspondence with Philip II, captured the English fort at the Blackwater built by Sir Walter Devereux, and in 1598 he prevented that fort, then no longer in his possession, from being provisioned, as a consequence of which he was considered to be "the deliverer of his country from thralldom." Bacon realized that the opportunity for which he had awaited for Essex to distinguish himself had come. As Sir Robert Cecil was in France attempting to conclude an agreement and as Essex was carrying on many of the duties of the secretary, Essex seemed to be the logical man to take action at a time that it was urgently needed. Bacon, therefore, wrote to Essex urging him to take to himself the responsibility for the Irish problem, the proper adjudication of which would redound to his honor, and to consult advisers as to whether peace or war should be made with Tyrone, and, if the latter, as to the nature of the war.¹² After terms of a treaty of peace had been offered to Tyrone, several of which he rejected, Bacon again wrote to Essex, suggesting that it would be well to accept the treaty in the form agreed to by Tyrone, but that Tyrone be intimidated and deterred from further aggression by provisioning the garrison;¹³ by raising forces in England to be sent to Ireland in case of emergency, but not to be sent immediately for fear the treaty might not be effected, and by feint on the part of Essex that he would command an expedition to reconquer all Ireland. Bacon's was a wily course, but it was, like most of his suggestions, sound. What result Bacon's letters had may not now be determined. On April 11, 1598, a pardon was granted to Tyrone. Bacon was, however, playing the game of self-preservation, the game which Machiavelli in Italy knew well. Bacon, taking advantage of the absence of Cecil to help advance his friend Essex, was meanwhile writing to Cecil expressing "continual and incessant love towards you, thirsting after your re-

¹¹Harleian MS. 6842, 132.

¹²Additional MSS. 5503, 3.

¹³*Ibid.*, 4.

turn . . . you being as near to me in heart's blood as in blood of descent."¹⁴ Such was the sport of state then, and such it is now.

To his cousin Cecil and to Lord Keeper Egerton, Bacon appealed in a financial crisis in 1598, when, returning from the examination of a prisoner at the Tower, he was arrested for debt on the complaint of a goldsmith named Sympson. Bacon objects to Egerton that he might have been taken to prison but for the interposition of Sheriff More, a friend, who "recommended me to an handsome house in Coleman Street," and he suggests that his service at the Tower as a member of the learned counsel should have privileged him from arrest.¹⁵

Bacon's service at the Tower at this time consisted in the examination of witnesses in connection with a plot to destroy the queen. Of such plots, there was an abundance after the trial of Roderigo Lopez, the queen's physician. In 1599 a letter, perhaps written to curry favor with the public, was published by the queen's printer. This letter, apparently from an Englishman to a fellow-countryman in Padua, was entitled, "Authentic Memoirs of that exquisitely villainous Jesuit, Father Richard Walpole." The style is that of Bacon, and the information it contains is that which he might have possessed as a result of the examination of witnesses in the case. The letter recounts, in terms sympathetic to the queen, the story of Edward Squire, a scrivener and later a servant in the queen's stable, who, while with Sir Francis Drake on his last trip to the Indies, was shipwrecked and taken into Spain as a prisoner. There he was bribed by the Jesuit English refugee, Walpole, to poison both the queen and Essex by placing on the pommel of Elizabeth's saddle and on Essex' chair a liquid which Walpole had given to him in a small bladder and which could easily be concealed in the palm of the hand under a glove. Squire carried out his part of the agreement, but the poison was of no ill effect, whereupon some of the other complotters became suspicious of the sincerity of Squire and revealed the conspiracy which resulted in Squire's execution. In the examination of witnesses in such cases, Bacon was probably excellent because of his tenacity, his quiet power, and his keenness of mind.

One of the pillars of England crumbled with the death of Burghley in the fall of 1598, and the remaining pillar was strained with the revival of hostilities of Tyrone, whose men had killed Sir Henry Bagnall, marshal of Ireland. Misfortune followed misfortune when Sir Richard Bingham, who had succeeded Bagnall, died soon after reaching

¹⁴*Resuscitatio*, Supplement, 92-93.

¹⁵Spedding, *L.L.*, II, 107-108.

Ireland. Elizabeth, contrary to the wish of Essex, considered appointing his uncle, Sir William Knollys, as lord deputy of Ireland. Essex urged the appointment of Carew to this office. According to rumor he turned his back on the queen, who smote him soundly on the ear, whereupon, grasping his sword, he swore that he would not have accepted such treatment even from her father. Egerton, the lord keeper, showed his wisdom when he wrote to Essex: "If you have any enemies, you do that for them which they could never do for themselves: whilst you leave your friends to shame and contempt, forsake yourself, overthrow your fortunes, and ruin your honour and reputation."¹⁶ Essex' petulance, however, won again. Through his influence, no further consideration was given to the qualifications of Charles Blunt, Lord Montjoy, for the office, Essex bragging to Sir John Harington: "I have beaten Knollys and Montjoye in the councele, and by G—d I will beat TyrOwen in the fiede."¹⁷ The boast was easier than the deed, but Essex' official appointment, for which the entire country knew he was angling, was made on January 14, 1599. Essex insisted upon, and received at first, plenary power, which he decided to exercise despite later instructions. He wrote to Harington when he appointed him lord lieutenant in Ireland, "I will confer soche honor and advantages as are in my breste and powere, forasmoche as hir Majestie makethe me to commaunde peace, or warre, to truce, parley, or soche matter as seemethe beste for our enterpryse and goode of hir realme."¹⁸

Bacon, in his *Apology*, says that Essex requested his opinion as to the prospective expedition into Ireland, and affirms, ". . . I did not only dissuade but protest against his going . . . I never in anything in my lifetime dealt with him in like earnestness, by speech, by writing, and by all the means I could devise. For I did as plainly see his overthrow chained as it were by destiny to that journey, as it is possible for a man to ground a judgment upon future contingents." In an undated letter to Essex, written perhaps in March, 1599, Bacon notes that Essex has detected his silence, and says that Essex "is designed to a service of great merit and great peril." As if suspecting some ulterior motive, Bacon says that Essex faces three vices, disloyalty, ingratitude, and insolence, and points out that "merit is worthier than fame," and that "obedience is better than sacrifice."¹⁹ What was in Essex' mind at this time, only he knew, but Camden reports that many suspected that he entertained some monstrous design. Sir John Harington re-

¹⁶Birch, *Memoirs of the Reign of Queen Elizabeth*, II, 384-386.

¹⁷Harington, *Nugae Antiquae*, I, 246.

¹⁸*Ibid.*, I, 245.

¹⁹Additional MSS. 5503. 6.

ports that a friend, Robert Markham, upon learning that he was to go into Ireland with Essex, wrote: "Observe the man who commandeth, and yet is commanded himself: he goeth not forth to serve the Queen's realm, but to humor his own revenge. . . . I sore fear what may happen hereafter."²⁰ Harington reports Essex' humor in 1599, when Harington bore a message from Ireland to his own godmother, the queen:

What perylls have I escaped! . . . In my late discourse, he uttered strange wordes borderinge on suche strange desygns, that made me hasten forthe and leave his presence. Thank heaven! I am safe at home, and if I go in suche troubles againe, I deserve the gallows for a meddlynge foole. His speeches of the Queene becometh no man who hath *mens sana in corpore sano*. He hathe ill advysers, and muche evyll hathe sprunge from thys source. The Queene well knowethe how to humble the haughtie spirit; the haughtie spirit knoweth not how to yield, and the man's soule seemeth tossed to and fro, like the waves of a troubled sea.²¹

All the while Essex' letters came from Ireland like a child's wail from a charnel house, hysterically self-pitying, foreboding, and menacing. He wrote to the queen, "Sickness will kill me if an Irish kerne do not,"²² and to Egerton on the death of Egerton's eldest son, Thomas, "Whatt can you receave from a cursed cuntry but unfortunate newes? whatt can be my stile (whom heaven and earth are agreed to make a stranger,) butt a stile of mourning?"²³ He further wrote to the queen, "Is it not known, that from England I receive nothing but discomforts and Soul's wounds . . . and that already you do bode ill both to me and it? . . . I see both my own destiny, and your majesty's decree; and do willingly embrace the one, and obey the other . . . Let others atchieve and finish the work, and live to erect trophies."²⁴

Fate had her hiding place in the Irish bogs. Gloriously, almost megalomaniacally, Essex hastened on March 27, 1599, with sixteen thousand infantry and about thirteen hundred cavalry troops, to keep his rendezvous with her. Listless submission to Fate Essex knew not. If Fate would not seek him, he would seek her. Thronged by his officers and men, most of whom, as Chamberlain puts it, "hoped to be a Colonel at the least," he set out for Ireland, complaining on the way of lack of support by the crown. The Irish rebel forces numbered well over twenty thousand. They had the advantages of being on the defense, of believing absolutely in their leader, and of knowing every foot of their country. They were able, also, to exist frugally and to

²⁰Harington, *Nugae Antiquae*, I, 240.

²¹*Ibid.*, 178.

²²Abbott, *Bacon and Essex*, 125.

²³Collier, *Egerton Papers*, 304.

²⁴Birch, *Memoirs*, II, 415-418.

swim through the rivers like "water-spaniels," but they were "beardless boys without shirts" who were given to "lying under hedges with marvelous ill favourede wenches, whom they would rather perish for, than fighte for."²⁵

It had been agreed, prior to Essex' debarkation in Ireland, that he should attack the stronghold of Tyrone in Ulster, but he was advised in Dublin to await midsummer to make the main attack. Instead of drilling his troops in preparation for the Ulster expedition, Essex made a peacock parade throughout Ireland, encountering here and there small bands of rebels, against whom he fought stoutly but vainly in so far as the main purpose of the Irish expedition was concerned. Harington records that Essex, "not attended by more than 6 or 7 horse, presented a chardge to the rebells grosse of horse and foote"²⁶—and won. When, however, Essex returned to Dublin, he found his army greatly diminished and reported to Elizabeth that he could not enter Ulster without an additional force of two thousand men. This force the queen sent to him and also authorized him to raise a further force of two thousand in Ireland. In August, the Irish council advised against a distant trip to the North, saying that the fighting force consisted of not more than four thousand (many perhaps having been garrisoned in the North in accordance with instructions in Elizabeth's letter of July 19). Essex did not abandon his intention but anticipated and justified a possible failure and forwarded the report to Elizabeth, who became more furious, having previously complained that she had allowed Essex £1,000 a day to make progresses and that Essex was reported to have given Essex House to Anthony Bacon. Harington says that upon carrying a message from Essex to the queen, she swore, "By God's Son I am no queen! That man is above me."²⁷ When the queen spoke to Bacon of her dissatisfaction, he, fully conscious of Essex' limitations and, even at the cost of friendship, loyal to the government, suggested that it might be well to satisfy Essex at home with some office of honor.

It was Elizabeth's policy to grant full power to her generals but to supervise their actions and delimit that power when she thought it advisable to do so. On July 30, she ordered Essex not to leave his post without her authority. Essex, nevertheless, set out to find Tyrone, whom he saw at a distance on September 3. Although Tyrone was in a position of advantage, he did not attack, but on September 7 agreed to parley with Essex. An agreement was reached on the following day

²⁵Harington, *Nugae Antiquae*, I, 176 and 251-252.

²⁶*Ibid.*, 289-290.

²⁷*Ibid.*, 356.

that a truce should be had for six weeks, to be continued in like periods until May Day and not to be violated without two weeks' notice. It was further agreed by Essex that he would deliver these conditions orally and not in writing. With such an advantage given to the enemy, there is little wonder at Harington's statement, "Hugh Tyrone . . . drank to my lord's health, and bade me tell him he loved him."²⁸ The queen, who had not been advised of the northern drive until too late to prevent it had she wished to do so, not knowing to what Essex had agreed, on September 17 directed him to conclude nothing until he had gained her consent.

Essex, disregarding the orders of the queen to remain in Ireland, then determined to visit her. The decision was bad in itself, but it was aggravated by his plan to take with him a band of soldiers. Sir Christopher Blunt says:

At that time the Earl propounded his going with a competent number of soldiers, to the number of two or three thousand, to have made good his first landing with that force until he could have drawn to himself a sufficient strength to have proceeded further.²⁹

If this was treason, Essex was willing to make the most of it. Upon the advice of friends, however, he took with him to England, on September 28, a smaller group of officers and men. To Nonsuch he took only six; there he surprised the queen before she was ready to receive such a close friend, relative, and suitor. The woman in Elizabeth subdued the queen or else she was very canny, for she was pleased with his presence, dustladen though he was. The afternoon was one of interchange of pleasantry, but at night Essex was commanded not to leave his chamber.

Upon learning of Essex' return, Bacon wrote to him a note of salutation from "him that is more yours than any man's and more yours than any man."³⁰ In a private conversation between Bacon and Essex, Bacon advised the earl not to glory in his Irish service, but to represent it as it was, unfortunate; to leave to the queen the decision as to his return to Ireland; and, most important, to "*importune, opportune*, seriously, sportingly, every way."³¹

Three days after his return to England, Essex was placed in the custody of the lord keeper at York House. On November 29, by the direction of the queen (but contrary to Bacon's advice,³² which Elizabeth later admitted to be sound) a statement was made in the Star

²⁸*Ibid.*, 250-251.

²⁹Caenden Society Reprint of Hatfield MSS., Vol. LXXXIII.

³⁰*Resuscitatio*, Supplement, 86.

³¹Bacon, *Apology*.

³²*Ibid.*

Chamber of the duties entrusted to Essex and of his failure to execute them.

The members of the Council appear to have followed Elizabeth's advice that they be generous in their accusations of Essex; there seems, at any rate, to be little adverse criticism of their conduct in the discharge of their official duty. The serpent, public opinion, however, turned upon Bacon, who bore a quasi-legal relationship to the crown and a personal duty to Essex. Only he, perhaps, in the kingdom could salve and heal the wound. His attempt at reconciliation was construed, therefore, as duplicity and his life was threatened. Bacon's recognition of the popular disrepute in which he stood is found in letters to Sir Robert Cecil, Henry Howard, and Elizabeth.⁸³ In the last of these, he is placed in the awkward position of apologizing for the nice taste which he showed in not being present at the indictment of Essex, saying it would be stupidity not to decline "except I could do your Majesty more service than I can any ways discern that I am able to do."

Essex, who meanwhile was endeavoring to carry on his liaison with King James of Scotland, was allowed to return to his home, although under surveillance. He was then given another hearing, which ended on June 5, 1600, at the lord keeper's house before the privy council, assisted by four earls, two barons, and four judges, and witnessed by two hundred citizens of divers professions and trades. As a member of the royal judicial service, Bacon was assigned the duty of charging Essex with having given approval to a book which had displeased Elizabeth. Bacon had, as any attorney knows, no choice in the matter. It was his official duty to execute faithfully and impartially the service assigned to him. Although he believed the introduction of such evidence to be irrelevant, he performed his duty with fidelity, believing that if the culpability of Essex were established and if he were then placed at the mercy of the queen, his fate would be better than if the case were not proved. The judicial officers, moreover, had been warned previously by the council not to charge Essex with disloyalty. Bacon's old antagonist, Edward Coke, however, was so provocative of wrath in his strong statement that Essex, who, according to pre-arrangement, was supposed to plead guilty, attempted to justify. Coke knew the law, but not how to administer it; he was, moreover, domineering and easily ruffled. Bacon, in an attempt to anoint the sore, announced publicly that Essex was not charged with disloyalty. The lord keeper pronounced the sentence upon Essex. He was relieved of

⁸³*Resuscitatio*, 98-101.

public office and was to continue a prisoner in his house at the will of the queen.

Bacon was, at this time, on cordial terms with Elizabeth. In accordance with his usual custom, in 1600 he gave her a New Year's gift, a "pettycote of white satten, embrothered all over with like feathers and billets, with three brode borders, faire embrothered with snakes and frutage."³⁴ Although Elizabeth at this time had a hundred and twenty-five petticoats, she seems to have appreciated the gift, for she gave to him a "guilt plate." During the same year, it seems, he requested of the queen a grant in fee-simple of three parcels of land, which he believed would enable him to obtain Gorhambury, his future home, in the event that his brother Anthony might attempt to sell it. The day after the privy council trial of Essex, Bacon conferred with Elizabeth, who requested him to prepare for her a record of the proceedings in the case. Bacon's uncompleted account of the queen's motives is flattering to her and, on the whole, fair to Essex."³⁵ In some detail and with judicial nicety, it sets forth the charges of misgovernance and error and neglect of duty, supported by epistolary evidence. In addition, Bacon seems to have tried personally to assuage the anger of the queen. For the time being, she received his petitions in good grace.

The terms of Bacon's interposition with the queen he clearly set forth in a letter of July 20, 1600, to Essex. The preservation of the letter is fortunate indeed for Bacon's reputation, for it specifies the boundaries of the hinterland of friendship. Bacon was like all of us in that, seeing that both loyalties could not exist, he chose the greater. He says:

... I aspire to the conscience and commendation first of *bonus civis*, which with us is a good and true servant to the Queen, and next of *bonus vir*; that is an honest man. I desire your Lordship also to think that though I confess I love some things much better than I love your Lordship, as the Queen's service, her quiet and contentment, her honour, her favour, the good of my country, and the like, yet I love few persons better than yourself, both for gratitude's sake, and for your own virtues, which cannot hurt but by accident or abuse. Of which my good affection I was ever and am ready to yield testimony by any good offices but with such reservations as yourself cannot but allow: for as I was ever sorry that your Lordship should fly with waxen wings, doubting Icarus' fortune, so for the growing up of your own feathers, specially ostrich's or any other save of a bird of prey, no man shall be more glad. And this is the axletree whereupon I have turned and shall turn.³⁶

³⁴Nichols, *Elizabeth*, III, 457.

³⁵Harleian MS. 6854.177.

³⁶Spedding, *L.L.*, II, 190-191.

Essex, with dignity, thanked Bacon for his "profession of affection, and offer of good offices . . ." Bacon then became intercessor for Essex with the queen. In behalf of Essex, he drafted two letters³⁷ to her asserting the earl's devotion to duty and his wish to "enjoy better times with her Majesty." Hazarding even strict truthfulness, of which he was always basically zealous, he wrote two more letters: one ostensibly from Anthony Bacon to Essex, the other purportedly an answer of Essex to Anthony.³⁸ Both letters were, of course, designed to pacify the queen, the former declaring, ". . . her Majesty in her royal intention never purposed to call your Lordship's doings into public question, but only to have used a cloud without a shower, in censuring them by some temporary restraint only of liberty, and debarring you from her presence," the latter humbly declaring, ". . . if ever I recover the Queen . . . I will never lose her again." In a design like this, Bacon thought he might well set a jewel to reflect his own brilliance. In the first letter, therefore, he wrote, ". . . I desire and hope to see my brother established by her Majesty's favour (as I think him well worthy, for that he hath done and suffered) . . .;" and in the second, "For your brother, I hold him an honest gentleman, and wish him all good, much rather for your sake."

The stir about Essex House, meanwhile, had attracted the attention of the Council, and Essex, being invited on February 7, 1600-1601, to confer with that body, sent word that he was too ill to appear. With three hundred men about him the next morning, in preparation for gathering a following in the city to seize the Tower and the royal guard and to force an entrance upon the queen, he was surprised by the appearance of the lord keeper and three other lords, including the earl of Worcester.

Essex locked the court representatives in his library and, because the horses had not arrived, set out on foot to meet his destiny in the city. Crying out precipitately as he passed through London that his enemies were threatening to murder him and that the English throne was about to be sold to the Infanta, he endeavored to obtain followers. But the English people had already begun to declare Essex disloyal and to collect forces to repel him. Without horses, escape was impossible. The earl attempted to return to Essex House, overcoming royal troops at Ludgate Hill. After some hours of resistance, entrance was forced to his house, at the cost of several lives of royal subjects, and he and his followers were taken to prison.

³⁷*Resuscitatio*, Supplement, 14.

³⁸Additional MSS. 5503, 9 and 11b.

Bacon's experience in the examination of suspected criminals made it natural that he should be commissioned, on February 11, to examine the conspirators. The Council, however, investigated the charges against the leaders of the treason, finding that preparation for the attack had been in progress for several months and that the conspirators had hoped to receive aid from the Irish rebels.

Essex and Southampton were arraigned on February 20. Coke, as prosecuting attorney, opened the case with an excess which quickly consumed itself. He blundered, also, by calling as the first witness one of the followers of Essex. The trial involved directly or indirectly many prominent people at court and was little more than a series of attacks and counter-attacks, in which Essex came off well. The attorney-general seems to have possessed little knowledge of the relevancy of evidence, which resulted in failure to pursue one line of reasoning at a time. Evidently wishing to justify himself as a loyal Elizabethan, Coke demanded that Essex warrant his assertion that the throne had been offered for sale to the Spaniards. Naturally Essex' attempt to vindicate himself embroiled others, who felt it incumbent upon them to exonerate themselves. Bacon, seeing justice perverted by pursuing evidence as one would *ignis fatuus* and ultimately leaving benighted all concerned, rose "for the discharge of my duty, to say thus much." Comparing—too well, perhaps—Essex with Pisistratus, who, after having lanced himself, ran crying through the streets of Athens that his life was in jeopardy, he addressed Essex directly, "... you, my Lord, should know that though princes give their subjects cause of discontent, though they take away the honours they have heaped upon them, though they bring them to a lower estate than they raised them from, yet ought they not to be so forgetful of their allegiance that they should enter into any undutiful act; much less upon rebellion, as you, my Lord, have done." Vigorously he closed by urging Essex "to confess, not to justify."³⁹ Bacon's advice was sound. Had Essex confessed, he might have died in his bed. Bacon's sense of official duty made him endanger his official reputation, for Essex, not to be so easily confounded, said that he would "call forth Mr. Bacon against Mr. Bacon." He argued cogently, not recognizing Bacon's change of attitude resulting from the proof of Essex' culpability, that, if the facts stated in the two letters framed by Bacon and supposedly interchanged between Anthony Bacon and Essex were true, "how can it be that now my pretences are false and injurious?" Bacon replied that the letters "would not blush to be seen for anything contained in them," and

³⁹Tanner MS. 76, 72, Bodleian Library.

that he "had spent more time in vain in studying how to make the Earl a good servant to the Queen and state, than he had done in anything else"—all of which was true, for Bacon's letters do not blush easily, and the advancement of Essex would have meant his own advancement. Bacon was utilitarian, but he was essentially honest.⁴⁰

Coke's ill prosecution of the case continued. He charged Essex with "hypocrisy in religion," disregarding the main issue. After other combats of wit between Coke and Essex as to whether Essex' actions amounted to treason, in which Coke said, ". . . our law judgeth the intent by the overt act" and to which Essex keenly replied, "Well, plead you law and we will plead conscience," Bacon, knowing that only poor lawyers are modest, again rose and said, "I have never yet seen . . . so many digressions, such delivering of evidence by fractions." He then proceeded to ask whether subjects may be allowed to present their requests to the queen by armed petitioners, to which Essex answered that, had he intended more than recrimination against his private enemies, he would not have left his house with so small a company. Bacon replied that he had expected aid in the city, and that he had pretended his quarrel was a private one after he had found that his treasonable acts could not effect their purpose. Not only was Bacon, the former friend of Essex, required by Elizabeth to aid in his prosecution; several of Essex' blood relatives sat as his peers at the trial. The court found both Southampton and Essex guilty.⁴¹

Essex, finding his confederates deserting him, exclaimed against them, and indeed even against his sister. Finally he confessed that his real purpose was to secure the succession, through an act of Parliament, upon James. Ironically enough, Henry Cuffe confessed that Anthony Bacon was the liaison officer between Essex and the king of Scots. A short while before his death in the Tower, Essex declared himself to be "the greatest, the most vilest, and most unthankful traitor that ever has been in the land."⁴² Thus died the rashest and the tenderest of Elizabeth's courtiers. The pity is that Bacon and Essex could not continue to be friends. The one who was wrong found death and martyrdom; the one who was right found life and ignominy. Which was better only the gods know.

Bacon's official duty required him also to examine Lord Cromwell and to prosecute Sir John Davis. Against the latter, Bacon urged the fact that rebellion implies destruction of the ruler. Sir John interrupted and confessed, submitting himself to the queen's mercy.

⁴⁰Spedding, *L.L.*, 226-227.

⁴¹*Ibid.*, 229-230.

⁴²*Ibid.*, 236-237.

To allay public misunderstanding, Elizabeth directed Bacon to write an exposition of the case, which, after revision by the queen and the Council, appeared as the *Declaration of the Practices and Treasons Attempted and Committed by Robert Late Earl of Essex and His Complices*, sent to the press on April 14, 1601. The *Declaration* is said, in the preface, to be taken *verbatim* from confessions and testimonies in the trial. It appears, on the whole, to be as impartial a statement as an attorney pleading a special case could present. There seems, however, to be some rationalization in coming to a conclusion which had previously been reached. The *Declaration*, supported by the evidence, fixes upon Essex a treasonable intent at the time of going to Ireland and definitely establishes collusion between Tyrone and Essex, the former planning to become viceroy of Ireland and the latter king of England. That a rather elaborate plot involving the murder of Raleigh and of the queen was entered into is clearly established by the confessions of Sir Ferdinando Gorge, Sir Christopher Blunt, and Essex. Essex bewailed his offense, which "was like a leprosy that had infected far and near," and prayed God "to forgive him his great, his bloody, his crying, and his infectious sin."

Yet the *Declaration*, but a spadeful of gravel on the bones of Essex, was not enough to lay his ghost. *Treuga Dei* was soon past, and feuds beyond death were to arise. Elizabeth had killed the man she loved most and feared most. Bacon had been the solemn judge of the friend and foe who had given and taken away much. Each had protected himself as life demanded, and each paid the toll to love. Elizabeth was left to withering, lonely age, and Bacon to cold ambition.

Ignominious today appears Bacon's acceptance of £1,200 for his aid in the prosecution of the conspirators; but it was the custom of the age to reward the judicial officers from the charges levied against the criminal. Bacon was rewarded from the fine of Catesby which amounted to 4,000 marks; other minor conspirators were fined £74,000. Although Bacon's share was rather handsome, he wrote, probably from expediency, to one of his principal creditors, Michael Hickes, "The Queen hath done somewhat for me, though not in the proportion I hoped."⁴³

The winter of 1601-1602 brought happy news from Ireland, where, on Christmas Eve, Montjoy defeated the combined Tyrone and Spanish forces. With the anticipated surrender of Tyrone, Bacon realized that action had to be taken to effect a more cordial relationship between Ireland and England. He, consequently, during the summer of 1602, directed to his cousin, then the most influential of Elizabeth's

⁴³*Ibid.*, III, 14-15.

advisers, a letter entitled, "A Letter to Mr. Secretary Cecil, after the Defeating of the Spanish Forces in Ireland; Inciting Him to Embrace the Care of Reducing that Kingdom to Civility, with some Reasons Sent Inclosed."⁴⁴ For the more efficient consideration of his problem, Bacon divides the question into four parts:

1. "The extinguishing of the relicks of the War": Bacon urges that the letting of blood will not hasten the cure; that "a treaty or a shadow of a treaty of a peace with Spain" should be used to delude the Irish; that a "proclamation of grace and pardon" should be made to conciliate the former enemy; and that a commission of power should be sent to Ireland to indicate the interest of England.
2. "The recovery of the hearts of the people": Bacon subdivides this question into
 - a. "Religion," urging that England be tolerant of the Roman Catholics; that good ministers and bishops be sent to Ireland; and that religious literature be translated into the Irish tongue.
 - b. "Justice," urging that martial law, administered by a captain, a judge, and other officers in each principal town, be continued for some time.
 - c. "Obligation and reward," urging that the Irish be treated as though they were an integral part of the English nation; that the Irish nobility be well received in the English court; and that consideration be given to the education of the Irish youth.
3. "The removing of the root and occasions of new troubles": Bacon urges that laws be revived to rid Ireland of the "absolute-ness of the chief of the families and septs," that "the licentious idleness of their kernes and soldiers" be abolished, and that the Irish be deprived of their "barbarous laws, customs, their Brehen law," and the enchantments of the poets or heralds.
4. "Plantations and buildings": Bacon urges that popular persons be chosen for the government of towns and that inhabitants be attracted to new districts by the granting of liberal rights and charters.

Tyrone offered on December 22, 1602, to surrender unconditionally; on March 31, a few days after the death of Elizabeth, he submitted officially.

The past course, which appeared devious and even treacherous to the public, Bacon had to show to be straight before he could ascend to service with James. In 1604, therefore, he tried once again to lay the ghost of Essex in the publication of *Sir Francis Bacon His Apologie, in Certain Imputations concerning the Late Earle of Essex*, addressed to Lord Montjoy, one time *particeps criminis* with Essex. Well may the canny suspect that, for this reason as well as because of Montjoy's success, Bacon addressed the work to him. It is but fair to Bacon, how-

⁴⁴Additional MSS.5503, 12; Spedding, *L.L.* III, 45-51.

ever, to believe that he found in Montjoy the man most cognizant of his own and of Essex' actions. Without fear of offending the queen, now dead, Bacon felt that he might speak: tenderly he spares the memory of Elizabeth. Truly, Bacon says, "... while I had most credit with him his fortune went on best." Dispassionately and judiciously, he enumerates what he had done for Essex and what Essex generously had done for him. He abandoned, he says, the cause of Essex only when he saw that his interposition would end in his ruin and be of no benefit to Essex.

With courage and conviction, Bacon says:

... whatsoever I did concerning that action and proceeding, was done in my duty and service to the Queen and the State; in which I would not shew myself false-hearted nor faint-hearted for any man's sake living. For every honest man, that hath his heart well planted, will forsake his King rather than forsake God, and forsake his friend rather than forsake his King; and yet will forsake any earthly commodity, yea, and his own life in some cases, rather than forsake his friend.

CHAPTER IX

Biographer

THE three blows which severed the head of Essex from his body after he had prayed fervently, "O Lord! into thy hand, I commend my spirit," seemed almost to separate Elizabeth from life. Hideously apropos was the cry of the executioner as he held aloft the head of Essex in which the eyes yet remained open, "God save the Queen,"¹ for certain it is that none of His earthly ambassadors could do so. In her agony and wrath, she packed off the archbishop of Canterbury, offended because he had announced the presence of death "as if she had lived an Atheist." Other prelates, or "hedge priests" as she called them, she would not see until her death was imminent. "I am tied with a chain of iron about my feet; . . . I am tied, tied, and the case is altered with me," she cried to the lord admiral.² To others she said, "They have yoked my neck; I have none whom I may trust; my estate is turned upside down";³ and Harington says that she stamped her feet at bad news and thrust "her rusty sword at times into the arras in great rage."⁴ Horrible spectres in her bed made her, according to rumor, stay upon her feet. The very throne of England seemed to be tottering, and Elizabeth was being transformed from a sovereign into a mythical being. Chamberlain wrote to Carleton on January 27, 1602-1603, that the queen would not get into bed because she feared if she did so she would never leave it again. Manningham records in his diary, on March 23, that when the archbishop spoke of the joys of heaven Elizabeth would hug his hand. About such a woman, there would be contrariety of report, for her very life was a contradiction. Truly Harington says, ". . . whoever liveth longer than I can, will look backe and become *laudator temporis acti*."⁵ Such a myth had she be-

¹Devereux, *Lives and Letters*, II, 185.

²Nichols, *Elizabeth*, III, 612-613.

³Camden, *Elizabeth*, IV, 222.

⁴Harington, *Nugae Antiquae*, I, 317-319.

⁵*Ibid.*, 360-362.

come that it was rumored that after her death on March 24, 1602-1603, her body, which had been opened by surgeons in violation of her will, split the wood and lead and velvet of the casket, as well as the cerecloth, with a great roar "to the terror and astonishment of all that were present."⁶ The world-weary Elizabeth, in parliament robes, with scepter in hand and crown on head, covered with royal purple velvet, was borne in a chariot drawn by mourning-draped horses to her grave.

But while Elizabeth was withering and Essex lay in his sepulchre, Bacon turned intuitively, as one does from death, to the active life about him. Private and public affairs dichotomized his attention.

In May 1601, Anthony Bacon died, leaving a number of debts. His assets, none too great, he left to Francis. Apparently late in 1601, Bacon made a memorandum of the loans by Nicholas Trott to him amounting to several thousand pounds, for the security of which Bacon had mortgaged Twickenham Park. In the memorandum, including also a list of the amounts that he had repaid Mr. Trott, he demands several reductions and objects particularly to the payment of compound interest. Bacon expressed a willingness to pay Trott more than twelve hundred pounds for the redemption of Twickenham. The auditor of the lord treasurer awarded the creditor eighteen hundred pounds.

In April of this year, Bacon sent to Cecil a memorandum of a slight dispute in which he had engaged with Attorney-general Coke in connection with Bacon's motion for the reseizure of the lands of the reculant George Moore. Coke became angered at the motion and said, "Mr. Bacon, if you have any tooth against me, pluck it out; for it will do you more hurt than all the teeth in your head will do you good," to which Bacon replied, "Mr. Attorney, I respect you; I fear you not: and the less you speak of your own greatness, the more I will think of it." Coke glowed and said, "I think scorn to stand upon terms of greatness towards you, who are less than little; less than the least." Bacon's answer was, "Mr. Attorney, do not depress me so far; for I have been your better, and may be again, when it please the Queen." The combat continued, Bacon finally becoming silent, and wisely, for the caustic tongue of Coke was well known. Even the famous Montjoy resolved not "to put his neck under the file of the Queen's Attorney's tongue."⁷ Bacon then wrote a sharp letter to Coke reprimanding him for publicly taking "to yourself a liberty to disgrace and disable my law, my experience, my discretion. . . . Since the time I missed the

⁶Nichols, *Elizabeth*, III, 612-613, 625.

⁷Moryson, *Itinerary*, Pt. II, Bk. I, c. 2, 89.

Solicitor's place (the rather I think by your means) I cannot expect that you and I shall ever serve as Attorney and Solicitor together. . . . And if you had not been shortsighted in your own fortune (as I think) you might have had more use of me."⁸ In January 1602-1603, when Coke's brother-in-law was made a sergeant at law, Bacon said ironically while Coke was standing near: "Nay, if he be Mr. Attorney's brother in law, he may well be a sergeant."⁹

With the parliament which was convened on October 27, 1601, eager to make appropriations for defense—Don Juan d'Aquila having just a month previous landed in Ireland with a large force of well-trained Spanish soldiers to deliver that country "from the jaws of the Devil"—Bacon on November 5 introduced a "Bill against Abuses in Weights and Measures," preferring, he said in his speech, "first water, then gold." The bill was rejected. The next day Bacon, pursuing a subject in which he had always believed, introduced a bill, which was continued, for "Repealing Superfluous Laws." He urged that every member of the Commons make a note of the statutes which he thought should be repealed, adding, "The more laws we make the more snares we lay to entrap ourselves." Another bill touching the question of monopolies was introduced by Bacon on November 18, entitled, "An Act for the better observation of certain orders set down and established in the Exchequer under her Majesty's Privy Seal." This bill, which Bacon "yieldingly" accepted, was likewise rejected. With the Commons determined to take some action on the question of monopolies, a bill was introduced for the "Explanation of the Common Law in Certain Cases of Letters Patents," against which bill Bacon made two speeches, on November 20 and November 21. He declared in the former, "I say, and I say again, that we ought not to deal or judge or meddle with her Majesty's Prerogative. I . . . humbly pray this House to testify with me that I have discharged my duty in respect of my place in speaking on her Majesty's behalf," and in the latter, ". . . I think the Bill unfit, and our proceedings to be by Petition." At this time some of the members had become so irate that, not content with proceeding either by bill or petition, they demanded that the patents be revoked in their presence. With her usual adroitness, Elizabeth handled a difficult political situation. She directed the speaker to declare that her care was to protect the people from oppression, and that, having learned of the abuse of patents granted by her, the patents should be reformed, and all would be suspended until they could be examin-

⁸Additional MSS. 5503. 36; Spedding, *L.L.*, III, 4-5.

⁹Lambeth MSS. 1034.

ed. The entire Commons, with the acquiescence of Elizabeth, then visited her to render thanks for her generosity. On December 7, Bacon delivered a speech "On Bringing in a Bill concerning Assurances among Merchants," which was finally passed. Bacon also made speeches "Against the Repeal of the Statute of Tillage," a subject in which he had, at a previous meeting, been interested; "Against a Motion for Making a Judicial Exposition of a Statute Part of the Statute"; "Against Committing to the Tower for An Assault on a Member's Servant"; and against the repeal of a statute giving to bishops larger powers in applying to various uses the revenues of charitable institutions. In the last speech, he became more than usually ardent, saying, "I speak . . . out of the very strings of my heart." Finding opposition in Sir Francis Hastings, Bacon told him that "he needed not to be so hot in an ill cause." Then Hastings addressed the Commons saying, "If I be so hot as he was yesterday, then put me out of doors."¹⁰ A dramatic and warm speaker Bacon at times seems to have been, pointing as he spoke and striking his breast when using such phrases as "in my conscience." Ordinarily calm and lucid in his speech, however, Bacon could appeal to both the emotions and the mind, and could blend the shrewdness of politics and the depth of philosophy in his addresses, which Ben Jonson said were "full of gravity."

After the death of Elizabeth, many of those who had fawned now fumed. But not so with Bacon. One of the best manifestations of his loyalty is his attempt to recall the majesty and dignity of Elizabeth, for a fair mind like his knows that to praise a successor is not necessarily to condemn a predecessor. In the first book of the *Advancement*, Bacon extols Elizabeth as an assiduous student, learned in divine and human law and in modern and ancient language and science, and as a sovereign whose governmental wisdom effected forty-five years of unparalleled happiness. But even earlier, soon after the death of Elizabeth, a time that he might well have lavished his entire power upon James, he wrote *In Felicem Memoriam Elizabethae Angliae Reginae*. This work, as Bacon wrote to Sir George Carew, the English ambassador to France, was occasioned by the appearance "of a factious book that endeavoured to verify *Misera Foemina* (the addition of the Pope's Bull) upon Queen Elizabeth." Bacon suggests to Carew that he would be pleased, in order to have posterity properly evaluate Elizabeth, to have President de Thou, then engaged in writing a history of his own times, make use of *In Felicem Memoriam Elizabethae Angliae Reginae* in that work. *In Felicem*, written in

¹⁰Spedding, *L.L.*, III, 38-39.

Latin to give greater honor to the memory of Elizabeth, is not, therefore, a judicial appraisal; indeed, Bacon's Roman Catholic friend, Tobie Matthew, took exception to Bacon's interpretation of Elizabeth's handling of the Papist problem. In *Felicem Memoriam Elizabethae* was so highly esteemed that, as Dr. Rawley wrote in 1657, Bacon in a draft of his will designed to have it published soon after his death.

In his tribute to Elizabeth, Bacon notes as a part of her felicity the fact that she attained sovereignty from private station. He excuses the execution of Anne Boleyn by virtue of the fact that Henry VIII was "by nature extremely prone both to loves and suspicions, and violent in both even to the shedding of blood." He honors Elizabeth's maintenance of peace among a people desirous of warfare; he praises her moderation in religious contention, her devoutness, her personal appearance, her way of life, and even her manner of facing death. Although John Chamberlain, in writing to Dudley Carleton on December 16, 1608, is warranted in saying that the work, though "worth your enquiry" does "*languescere* towards the end," Bacon probably approaches closely the truth when he concludes the work by saying that time "has produced nothing in this sex like her, for the administration of civil affairs."

To a history of the reign of Queen Elizabeth, Bacon contributed manuscript corrections to the fourth volume of William Camden's *Annals of Queen Elizabeth*. Many of Bacon's corrections in Camden's manuscript, which Camden notes he began reading again on May 18, 1620, were included in Thomas Hearne's 1717 edition of Camden's work. Except for a few interesting corrections in connection with the trials of Roderigo Lopez and the earl of Essex, Bacon's corrections are unimportant either as a matter of history or literature.

Biography, as a branch of literature, but not of history, was always attractive to Bacon. He believed with Tacitus that the primary purpose of biographic history is to perpetuate virtuous actions. In the *Advancement of Learning*, he says, "I do find strange that these times have so little esteemed the virtues of the times, as that the writing of lives be no more frequent . . . yet are there many worthy persons that deserve better than dispersed report or barren eulogies." Biography, he believes, must be a "true, native, and lively representation." Although richly endowed with the historical temperament, Bacon leaned toward applied, rather than true, biography. Biography is as old as the human mind. The first book of the Bible, with the story of Joseph and his brethren; the Old English devotional life study, like

Bede's *Life of St. Cuthbert* or Asser's *Life of Alfred the Great*; the more modern William Roper's and Nicholas Harpsfield's lives of Sir Thomas More, and George Cavendish's *Life of Wolsey* were all the fresh breath of creative energy to Bacon. The lives of Edward II and Richard III, by Sir Thomas More, were, however, more nearly the archetypes of Bacon's biographies than were any other works. Although the major biographies written by Bacon during the reign of James I were intended as compliments, they are more than memoirs, more than hagiography. They are living representations of men and women in relation to their times. In this way only may we ascribe to Bacon the rather doubtful paternity of modern English biography.

Not content with the biographies which he had already written, Bacon, at the request of Prince Charles, undertook *The History of the Reign of King Henry the Eighth*, published in 1629 in Dr. Rawley's *Certain Miscellany Works of the Right Hon. Francis Lord Verulam, Viscount St. Alban*. Bacon seems to have encountered difficulty in securing materials for this life, for he complains that Sir Robert Bruce Cotton is "somewhat dainty of his materials in this."¹¹ On October 22, 1623, by letter he apologizes on the ground of ill health for not having prosecuted the work. As in his work *In Felicem Memoriam Elizabethae*, so here Bacon describes the physical appearance of Henry, his want of relatives upon whom to depend for advice, his eclipsing of his subjects, and his astuteness in international affairs. The few pages exant close with a tribute to Henry as the wonder of the age.

During the reign of Elizabeth, Bacon had begun a work entitled *The History of the Reign of K. Henry the Eighth, K. Edward, Q. Mary and Part of the Reign of Q. Elizabeth*. The unfinished manuscript declares the intention to give a portrayal "of a king that first, or next the first, became absolute in the sovereignty: of a king in minority: of a queen married to a foreigner: and lastly of a queen that hath governed without the help either of a marriage, or any mighty man of her blood." Here, then, is the nucleus of Bacon's biographic work. These times he finds propitious because of the universal importance of England, because of the "new discoveries and navigations abroad," and because of "the new accidents memorable both of state and of court." Bacon seems but to have begun to outline the life of Henry VII preparatory to undertaking the life of Henry VIII when he stopped, probably because of pressure of official duty. The intention of starting this work with the accession of Henry VII may be noted from

¹¹*Ibid.*, VII, 428-429.

Bacon's letter of April 2, 1605, to Egerton.¹² The sketch of the life of Henry was, however, prefaced to Speed's history of the reign of Henry VII, published in 1609.

Musing in a letter of April 1605 to Lord Chancellor Ellesmere upon English history from the time of Henry VIII, and thence upon the unworthiness of all English history and the partiality of Scottish history, Bacon generated the conception that a history of Great Britain—now that the nations thereof were united—might be of honor to King James. For such work, however, Bacon declared his fortune and his profession disqualified him.

The opportunity to write the life of Henry VII, the first chapter of a proposed "History of England from the Union of the Roses to the Union of the Crowns," did not come until Bacon's fall in 1621, when he, finding himself during his lustration "no longer able to do his country service it remained to him to do it honour." With the copy which Bacon sent to James' daughter, the queen of Bohemia, on April 20, 1622, he declares his intention not "to become an abbey-lubber . . . but to yield some fruit of my private life."

A vain man delights in his ancestry. Bacon knew that James considered Henry VII the ideal king and knew that James would be pleased with a biography of his great grandfather. Composition created to please scarcely belongs to the field of history. While Bacon was a complete artist in chiaroscuro—using shades to soften defects of nature, and lights to illumine the virtues thereof—he was so essentially truthful that his purpose was not entirely achieved; he produced none the less the best portrait of Henry VII ever painted. Bacon intended to show similarity between James I and Henry VII, "who was in a sort your forerunner, and whose spirit, as well as his blood is doubled upon your majesty," as he wrote to King James on October 8, 1621. In his dedication to Charles, prince of Wales, he says, "I have not flattered him, but took him to life as well as I could, sitting so far off, and having no better light. It is true, your Highness hath a living pattern, incomparable of the King your father. But it is not amiss for you also to see one of these ancient pieces." To the abundant library of Sir Robert Bruce Cotton he sent, and to the histories of Polydore Vergil, Bernard André, Fabyan, Hall, Holinshed, Stowe, and Speed he resorted for materials for this work which was completed in several months. Bacon was hence one of the earliest of the modern English research scholars. The publication of *The History of the Reign of King Henry*

¹²In Book II of the *Advancement*, Bacon speaks of the need of a history "from the Uniting of the Roses to the Uniting of the Kingdoms. . ."

the Seventh, covering the years 1485 to 1509, was delayed at the request of the bishop of London, and the manuscript was subjected to the correction of James I, but it finally appeared in March 1622 and was sold for six shillings. The grace of phrase, the good judgment and precision, and the luster of this biography may yet be admired. Honest objection may, however, be taken to Bacon's poor perspective. He gives much space to innumerable unimportant details, like the impersonations of Perkin Warbeck (a source of the works of Ford and Mary Shelley) and Lambert Simnel, which, delightful interludes as they are, he evidently expanded as he wrote. He also employs imaginary speeches of the kind that would or could or should or might have been made and, indeed, containing extracts from Bacon's own speeches in parliament.¹³ Such speeches the historian should reject although they give luminosity to the narrative. Henry is delineated not as a statesman but as a crafty politician, a man of Bacon's own mold, as adverse critics have said. While it is true that Bacon's personality is revealed in this study as in all his works, he smiles indulgently at or castigates mildly the weaknesses of Henry, such as his greed for gold, his marriage for expediency, and his indifferent manner of dispensing justice except where he was a party.

Shorn of its irrelevant details, the framework of *Henry VII* is very similar to that of *Henry VIII* and *Elizabeth*. That Bacon used a formula, and often almost identical phrases, in the writing of his biographies, and that he sometimes removed a passage from one work and inserted it in another are evidenced by the following comparative quotations, many others of which might be included:

In Felicem Memoriam Elizabethae:

... she was raised to sovereignty from a private fortune. *The History of the Reign of King Henry the Eighth, King Edward, Queen Mary, and Part of the Reign of Queen Elizabeth:*

This king [Henry VII] attained unto the crown, not only from a private fortune, which might endow him with moderation, but also from the fortune of an exiled man, which had quickened in him all seeds of observation and industry.

Henry VII:

He attained to the crown, not only from a private fortune, which might endow him with moderation; but also from the fortune of an exiled man, which had quickened in him all seeds of observation and industry.

Yet in detail closely related to the narrative, the sovereign and the man are individualized and made still to live. Henry's love of peace and religion; his indulgence in buildings; his relationship with his

¹³Bacon also praises the laws of Henry against enclosures, a subject upon which Bacon delivered several speeches.

wife which "was nothing uxorious"; the tale of the monkey which tore Henry's principal notebook to pieces, much like More's story of the marmoset in *Utopia*; his dislike of entertainment—all these homely but revealing qualities make Henry not a character of history but a vital being. Rawley tells us that the fame of this work was greater abroad than at home. Bacon says that Henry VII, lying in Westminster in one of the stateliest monuments in Europe, "dwelleth more richly dead . . . than he did alive," and adds, "I could wish he did the like in this monument of his fame." The wish has come true. The king, to whom the manuscript was sent, made very few changes therein. James preferred the use of *mild* to *debonnaire* and strongly recommended (probably thinking of Bacon's conviction) that the statement that persons attainted were permitted to serve in parliament by reversal of their attainder without issuance of new writs—a statement probably carefully contrived by Bacon—be omitted. In addition to the copy of the book which was sent to the queen of Bohemia, presentation copies were sent also to King James, who commended "it much," and to Buckingham. This history, together with various other works, Bacon planned to have translated into Latin.

In *Henricum Principem Walliae Elogium Francisci Baconi*, written in Latin in memory of the king's eldest son, who died on November 6, 1612, at the age of nineteen, was first published in an edition of the works of Francis Bacon in 1763 by Birch, who suggested that it may have been intended for the use of the French historian, Jacques Auguste de Thou, to whom Bacon had sent his work on Elizabeth. In his usual manner, Bacon pays tribute to the religious nature and the personal appearance of Henry. Yet even in this work, Bacon shows that he knows how to evaluate his characters. "Henry," he says, "in speech . . . was somewhat slow, and as it were embarrassed," although his questions and opinions "were ever to the point, and argued no ordinary capacity."

But King James himself was not to be neglected. Rawley's *Resuscitatio*, in which *The Beginning of the History of Great Britain* was first printed, contains also an undated letter from Bacon to the king upon sending him a beginning of the history of his Majesty's times. In another undated letter, both of which seem to have been written early in 1610, Bacon pleads for hope of public office, with the denial of which he must, he says, do honor to James "by writing some faithful narrative of your happy though not untraded times, or by recompiling your laws." In the former letter, Bacon apologizes for not having been fulsome, saying that a law of history does not permit the author to

"clutter together praises upon the first mention of a name, but rather disperseth and weaveth them" through the whole narrative.¹⁴ In this work, the utmost of the author's biographic technique and unusual diplomacy were required in order that he might neither fawn nor offend. The troublous times which were expected, particularly by foreigners, upon the death of Elizabeth are described, as well as the trembling of the adherents of Elizabeth and the rejoicing of the followers of Essex. The work closes with praise of James' book, *Basilikon Doron*, written as a guide for Prince Henry. Bacon extols this work, setting forth the nature of kingship, as "a good perfume or incense before the King's coming in," and declares it more worthy than a formal edict or declaration could have been—a rare tribute considering the fact that Bacon had written a declaration to prepare for the coronation of James. It is unfortunate that the picture of James which Bacon might have given us is lacking, for Bacon's insight was so keen that tactfully but truly he could depict even his contemporaries. After Bacon's death, Sir Henry Wotton was commissioned to complete the work, but he too died after a mere beginning.

Excellent manifestations of the Renaissance spirit are *Imago Civilis Julii Caesaris* and *Imago Civilis Augusti Caesaris*. These brief biographies, written in Bacon's semi-fictional manner and antithetic style are to biography what his *Essays* are to philosophy. *The Character of Julius Caesar* and *The Character of Augustus Caesar* (the latter probably not completed, although in its present form having unity) were printed in the *Opuscula Posthuma* in 1658 by Dr. Rawley, who says that they were lauded by men of great reputation. The idea of writing lives of the ancients may have been given to him by Sir Thomas North's translation in 1579 of Plutarch's *Lives*. In Bacon's *The History of the Reign of K. Henry the Eighth, K. Edward, and Q. Mary, and Part of the Reign of Q. Elizabeth*, he says that he did "not attempt to go higher to more ancient times" because a previously written chronicle "as a simple narration of the actions themselves," which needed to be supplemented only by "the counsels and the speeches and the notable particularities," did "more and more fail." Bacon is content in dealing with the ancients to give only the simple narration of personal character, which, though meagre, is valuable in the history of the miniature biography.

¹⁴Spedding, *L.L.*, IV, 218-219.

CHAPTER X

King James

LONG before the approach of day, Bacon so placed himself that the first rays of the rising sun might shine upon him. Even before the death of Elizabeth, probably realizing that Sir Robert Cecil would be retained in the service of James, Bacon wrote on March 19, 1602-1603, to his friend Michael Hicke, secretary to his cousin, asking that Hicke bear his love to Cecil. To the earl of Northumberland, he offered his "head, tongue, pen, means, or friends" out of the "fulness of my heart" and not "out of any straits of my occasions." To David Foulis, on March 25, and to Edward Bruce, James' ambassadors to England and friends of Anthony, Bacon commended himself.¹ To Sir Thomas Challoner, formerly one of Essex' intelligencers, Bacon sent a letter by his friend Tobie Matthew enclosing an offer to the king "to make oblation of myself immediately to your Majesty." Bacon seemed determined that his experience with James should not be what it was with Elizabeth, who, as Rawley says, "never cheered him with the Bounty of her Hand." He reminded James of Anthony's zeal in his cause and said, "no man's fire shall be more pure and fervent than mine. But how far forth it shall blaze out, that resteth in your Majesty's employment."² "I assure you Galen doth not set down a greater variety of pulses than do vent here in men's hearts," he wrote to Dr. Morrison, a Scottish physician, who Bacon thought would come to England with the king.³ To Mr. Davis (probably John Davies the poet, then attending the king) Bacon wrote on March 28, 1603, requesting Davis to honor his name and to defend it "if there be any biting or bibbling

¹Spedding, *L.L.*, III, 57-64.

²*Ibid*, 62-64; *Remains*, 55.

³*Remains*, 63.

[dabbling] at it.”⁴ The letter to Davis is a rare fig for the Baconians to relish, for it closes, “be good to concealed poets.”

To Northumberland, Bacon sent a letter suggesting that the king issue a proclamation of his good will toward his subjects.⁵ With the letter, in which he says that his pen had been employed in such service in Elizabeth’s time, Bacon enclosed a draft of a manifesto. Although Bacon’s proclamation was not used, it is interesting because of its political acumen.⁶ Condolence with his British subjects in the loss of their sovereign is offered by James, with the suggestion that the plans for his accession be simple, any magnificence to be bestowed upon the funeral of the queen. He expresses joy that England and Scotland will be united, that the Irish wars will be brought to an expeditious and honorable end, and that peace subsists among all Christian nations.

To Tobie Matthew, in an undated letter, Bacon said he found himself “as one awaked out of sleep,” for “the canvassing world is gone, and the deserving world is come.” To Robert Kempe, also in an undated letter, Bacon voiced the hope that the king would redeliver to his officers “quiet possession of their places; rather filling places void, than removing men placed.”⁷ Bacon, however, holding no warrant to his position in the learned counsel, was not immediately granted his position; when the king discovered the omission, he promptly appointed him.⁸ To the earl of Southampton, who was about to be released from the Tower (and who was released on April 10) Bacon made friendly overtures in the hope that Southampton might understand that his connection with the prosecution of Essex and Southampton was in the pursuit of official business.

The king was come. Having left Edinburgh on April 5, he was met on the way by Bacon, carrying a letter from Northumberland, to whom he wrote soon thereafter describing the king.⁹ He said that James had not at all the appearance of vainglory; that his speech was swift, cursory, and dialectic, in business short and in discourse large; and that he wished to hasten the union of the two kingdoms.

With the accession of the king, the religious groups had new hope and presented new complaint; particularly bitter were the objections of the Puritans to the ceremonies of the Church of England. Realizing that the adjustment of religious difficulties was one of the first duties

⁴*Ibid.*, 62.

⁵*Ibid.*

⁶Spedding, *L.L.*, III, 67-71.

⁷*Ibid.*, 73-74.

⁸Collier, *Egerton Papers*, 368.

⁹Additional MSS. 5503.24.

of James, Bacon dedicated to him a treatise entitled *Certain Considerations Touching the Better Pacification and Edification of the Church of England*,¹⁰ published in 1604 and again in 1641, which opens, "The unity of your Church, excellent Sovereign, is a thing no less precious than the union of your kingdoms." In this treatise Bacon often compares church government to civil government. As to the maintenance of one form in the church, he says, "I for my part do confess, that in revolving the scriptures I could never find any such thing, but that God had left the like liberty to the Church government, as he hath done to the civil government, to be varied according to time and place and accidents." He advocates, however, the return to ancient unity in the church predicated upon "*one faith, one baptism, and not, one hierarchy, one discipline.*" Government of bishops he approves, but such government should not be unassisted by the advice of others. The liturgy, which he believes "as high and holy as . . . the sermon," had been so much extolled as to become a form of superstition. Private baptism by women and laymen he found unwarranted by the practice of the primitive church. The ministry he would have possessed of the gift of preaching and of learning in other arts. Excommunication he would restrain, it having been allowed "to lackey up and down for fees." Non-residence livings he would deny to ministers; and plurality of living, although necessary in some cases, he would reform. A bountiful living, he would give to ministers. In the Hampton Court conference, which first met with the king on January 14, 1603-1604, several of Bacon's suggested reforms were adopted. Private baptism, it was determined, was to be made only by ministers and curates; learned ministers were to be supplied where they were needed in England. Excommunication for trifles was abolished; bishops in the process of ordination, suspension, and degradation were to be assisted by sound advisers; and non-residence and multiple livings were to be abolished or reduced to the minimum. On January 16, when the Puritans objected to the ceremonies in the Book of Common Prayer, James demanded that they prove the ceremonies violative of the word of God and good authority. When they were unable to do so, it was decided to retain them.

On the same day, it was determined that a uniform translation should be made of the Bible.¹¹ Because of the influence of Bacon's suggestions at the Hampton Court conference, there is little wonder

¹⁰Calendar of State Papers, Domestic Series, V, 51.

¹¹Winwood, *Memorials*, II, 13.

that some Bacon enthusiasts offer him as the protagonist of the King James version of the Bible.

The king's will as to the union of the kingdoms was also Bacon's will. In 1603, he published *A Brief Discourse Touching the Happy Union of the Kingdoms of England and Scotland*, "Dedicated in private to his Majesty."¹² The work is scholarly—classical and Biblical, physical and alchemic. Unions of all kinds, and specifically unions in name, in language, in laws, and in employments, are discussed, but the specific question, the union of England and Scotland, is not considered. In *Certain Articles*, composed during the succeeding year on the same question, Bacon says that he had previously written "a few lines scholastically and speculatively, and not actively or politically."

In the parliamentary discussions on the union which began on April 14, 1604, Bacon took a leading part. Although the House of Commons had decided that consideration of a union in name should be preceded by that of union in government, Bacon, in his first speech, made about April 16, assumed that the name should be "Great Britany" and declared that the only matter of immediate importance was the naming and appointing of commissioners to treat of the matter. On April 19, Bacon again spoke, but, as Carleton says, "no matter came from him worth the noting." Bacon's poise and tolerance, however, led to his selection as spokesman and reporter. In this capacity on April 21 he reported the demands of the king, who, like Brutus and Arthur, called himself "king of Britany," and proposed that the union already subsistent should be acknowledged by an act, and that a commission should be appointed to consider matters incident thereto. A committee of the Commons distributed among its members the various arguments against the union, Bacon reasoning that there was no cause for change of name, explaining later that the committee spoke only by way of argument and not by way of conclusion, and that the committee of the Commons was against the union because the Lords were in favor of it. The judges had meanwhile delivered an opinion that the moment James was declared king of "Great Britany" all existent laws should become extinct. After several conferences with the House of Lords, reported by Bacon, the question of the name of the union was left in abeyance, and the naming of commissioners, to consist of common lawyers, civilians, men of state, merchants, etc., was to be left to the Commons. On May 12, when Bacon submitted "a draft of the act for the authorising of Commissioners," two privy councillors, two ambassadors, four common lawyers, two civilians, four mer-

¹²*Resuscitatio*, 197.

chants, and sixteen country gentlemen were chosen as commissioners, "the first vote of all the Commons selected for that cause" being given to Bacon.¹³

Bacon's ambition was so much whetted by his fairly successful efforts to effect a union, by the receipt of a pension from the king, and by a written confirmation of his appointment to the learned counsel, that, in the fall of 1604, he undertook an analysis of the problems to be solved before a union might be brought about. *Certain Articles or Considerations Touching the Union of the Kingdoms of England and Scotland Collected and Dispersed for His Majesty's Better Service* propounds several questions, to which no answers are given: whether the statutes concerning Scotland made before the union would be automatically repealed; what laws, customs, etc., would be discontinued "upon the borders of both realms"; and whether the king, after deciding the two previous questions, should not rest and proceed no further in effecting a union.¹⁴ Assuming, however, that James wished to proceed with the union, Bacon set down the respects in which a union had already been effected and the respects in which the nations were yet divided. A substantial, but not complete, union existed, Bacon says, sovereignty, subjection, religion, continent, language, and leagues and confederacies. In external points, Bacon says the nations were yet divided in crowns, names, seals, and coins. In internal points, he continues that they were yet divided in parliaments, counsels of estate, officers of the crown, nobilities, laws, courts of justice, receipts and finances, admiralties and merchandisings, freedoms and liberties, and taxes and imposts. After a consideration of each of these items, Bacon declares that it is not his intention to persuade or dissuade the king, but merely to receive royal direction, to which "I shall ever submit my judgment and apply my travails."

*A Draught of a Proclamation Touching His Majesty's Stile*¹⁵ (Bacon having recommended in *Certain Articles* that the names of the united nations be declared by proclamation) in which "the stile and title of King of Great Britany, France, and Ireland" are adopted, seems to have been formulated by Bacon at about this time. Although this proclamation was not used, another apparently based upon it was issued on October 20, 1604.

On the same day, the forty-eight English commissioners for the union convened, but immediately adjourned, for failure of arrival of the

¹³*Certain Articles or Considerations Touching the Union of the Kingdoms.*

¹⁴*Resuscitatio*, 206.

¹⁵Harleian MSS. 6797.

thirty-one Scottish representatives, until October 29, at which time sub-committees for both nations were appointed for the collection of "hostile laws." On November 24, it was agreed to recommend the naturalization of both the postnati and the antenati. At this time, to Bacon and the lord advocate of Scotland was entrusted the duty of correlating the various articles agreed upon, which were presented in unified form in writing on November 27. For this return, Bacon wrote a preface¹⁶ which was not used.

The question of the union was not again seriously discussed until the parliament met on November 18, 1606. On receipt of the report of the commissioners for the union, Bacon, on November 25, delivered a speech as to the method of procedure, suggesting that the laws of the tripartite divisions, hostility, commerce, and naturalization, be considered in conference—a suggestion which was eventually adopted.¹⁷ During the consideration of hostile laws, escuage caused much difficulty. At a conference held on December 13, 1606, Bacon, together with the attorney-general, the solicitor-general, and the recorder, was selected to present arguments. The committee for the drawing of conclusions regarding commerce could reach no decision.

The intervention of the Christmas holiday enabled the opponents of the union to arouse themselves to action. With the meeting of the Commons on February 10, 1606-1607, attack was made upon the recommendations of the commissioners of union that those born after the decease of Elizabeth should possess full civil and legal rights in both kingdoms, and that those born before the death of Elizabeth might become able to possess those rights. The latter class might not hold any crown or judicial office or have any "voice, place or office" in parliament, the king, however, retaining his prerogative to invest any person with such office or right. Specific attack upon these articles of naturalization and general attack upon the union brought a response by Bacon in defense of naturalization on February 17.¹⁸ In rebuttal of the statement that a union of the nations would result in "a surcharge of people upon this realm of England," Bacon declares that a tree thrives better when transplanted to more fertile soil, that waste lands all about declare mutely that England is not excessively populated, and that the worst that could result from a "surcharge of

¹⁶*Ibid.*, 6797.

¹⁷*Ibid.*, 6842.

¹⁸Published in London in 1641 under the title, "Three speeches of the Right Honourable Sir Francis Bacon, Knight, . . . concerning *Post-nati, Naturalization of the Scotch in England, Union of the Laws of England and Scotland*"; published also in the *Resuscitatio*; King's MS. 17A. LVI, 62; Harleian MSS. 6797.

people" would be the making of honorable war for the expansion of territory. In rebuttal of the charge that a union would be difficult to effect because of the diversity of English and Scottish laws, Bacon declares that English laws are worthy to govern the world and that naturalization is a prerequisite to union of laws. In rebuttal of the third objection that union would result in advantage to the Scotch and loss to the English because of disparity of fortune, Bacon declares that such inequality exists in material possessions alone. In industry, courage, and appearance, the Scotch and English are almost identical; and other sovereigns, notably Edward I, had attempted to unite the nations in order to solidify the island. After a discussion of the various types of alien and subject, Bacon closes eloquently, "I have spoken out of the fountain of my heart . . . The judgment is yours. God direct it for the best."

A question precedent to the consideration of the propriety of naturalizing the Scotch was naturally whether the postnati were already automatically naturalized. A committee decided that they were not legally naturalized, whereupon the committee was instructed to collect the law on this question. On February 26 and March 2, Bacon delivered his report on the conferences between the Lords and the Commons.¹⁹ The reasons underlying the opinion of the Commons that the postnati were not naturalized and those of the judges, acting extrajudicially at the request of the Lords, that they were, Bacon set down in detail.

When on Saturday, March 28, 1607, it was moved that a union of laws would preclude the question of naturalization, Bacon delivered a speech expressing the opinion that a union of laws would be advantageous, involving among other things the review and recompilation of laws. He denied strongly, however, the statement that there could be no naturalization without union of laws and that union of laws should precede or be contemporaneous with naturalization, asserting that naturalization should precede union of laws. He asserted that it was unreasonable to suppose that the Scots would accept English laws to obtain English privileges; the question of the union of laws he, therefore, considered untimely. He rejected also statements that, if difference were made between postnati and antenati, it should be made in favor of the latter and that more provision should be made to restrain the postnati than the antenati, pointing out that any restriction of the antenai would expire with the generation, but that restriction of the postnati would create a perpetual separation. Bacon's

¹⁹Calendar of State Papers, Domestic Series, XXVI, 65 and 66.

opinion was, of course, that of the king, who, advocating general naturalization, spoke to the Commons on March 31, May 2, and June 2. The matter of naturalization was, however, kept in abeyance.

A bloc on the question of naturalization did not prevent consideration of the question of repeal of hostile laws. On May 8, Bacon was elected, after some dispute, to take the chair when the Commons gave consideration to a bill "for the continuance and preservation of the blessed union of the realms of England and Scotland, and for the abolishing and taking away of all hostile laws, statutes, and customs that might tend to disturb or hinder the same." When, as is usual in parliamentary bodies, there was much carping at the title, motion was made that consideration be given first to the title and later to the bill, that to do otherwise would be to "make a monster of it to make the body before the face." Thereupon Mr. Martin declared that, if such were the case, the "maker of the world and of all things therein made none but monsters, who made things first and then brought them to Adam to be named." The title was, nevertheless, first considered, it being finally agreed that the title should be, "An Act for the abolishing of hostile laws betwixt England and Scotland." The preamble met with similar objection, in which exception was taken to the word *union*, but, largely through the instrumentality of Bacon, the preamble was accepted in modified form and the bill was finally passed by both houses on June 30.

Bacon had meanwhile, on June 17, reported²⁰ the speeches of the earls of Salisbury and Northampton "at a conference concerning the petition of the merchants upon the Spanish grievances." Notwithstanding a treaty with Spain, officers of the ships of that country had stopped and searched English vessels, whereupon the merchants petitioned parliament for letters of marque, by virtue of which they might make reprisal such as had been granted during the reign of Henry V. The phraseology of the speeches is so distinctly Baconian that it appears that the reporter took only the salient ideas of the speaker, from which he wove a connected narrative.

In 1608 the question of the naturalization of the postnati was again raised, perhaps through the collusion of James and Bacon, who had meanwhile become solicitor-general. It may be, indeed, that Bacon's appointment to the office of solicitor was the result of the king's recognition of his influence with the Commons, which, if it did not immediately accomplish the king's purpose, prevented his losing his cause, and of Bacon's desire to accomplish the will of the king. Bacon, how-

²⁰Harleian MSS. 6797.

ever, agreed with the king only when in good conscience he might do so. In view of the fact that the Commons had declined to act upon the recommendation of the commissioners of union that an act be passed declaring both the antenati and the postnati naturalized and to accept the opinion of the judges that the postnati were *ipso jure* naturalized, it was determined that a decision of the judges in an actual case would finally determine the matter. Although Bacon declares that the case was not "feigned or framed," it was sponsored heartily by the crown and his judicial officers. In *Calvin's Case*,²¹ in which Richard and Nicholas Smith had conveyed land to Calvin, a Scottish infant born after the death of Elizabeth, Bacon maintained before the lord chancellor and all the judges of England, somewhat prior to the Easter term, that Calvin was naturalized and entitled to possession of the lands. With greater brilliance, supported by good logic, analogical cases, and precedent, Bacon never argued. Decision, with but two dissenting votes, was given for Calvin, the plaintiff, and the question of the naturalization of the postnati was finally adjudicated.

Returning to the swan-upping at the accession of James: Bacon the statesman seems to have been outdistancing Bacon the lawyer. He had no part in the prosecution of the black cygnets who instigated the Priests' Plot, in which Raleigh was charged with being an accomplice to dethrone James and crown Lady Arabella Stuart. Although Raleigh is excused by his apologists as having planned to entice the conspirators to the island of Jersey, of which he was the governor, and then to betray them, he was, nevertheless, imprisoned in the Tower. Perhaps Bacon's prosecution of Essex had sated him of any desire he might have had to convict a popular hero.

In the parliament opened on March 19, 1603-1604, in which James created a flurry by calling the devil a "busy bishop," Bacon was active in the matter of seating Sir Francis Goodwin, who had been outlawed and consequently disqualified by the chancery court. Although the Commons maintained that they were judges of their own returns as well as a court of record, the king declared that Goodwin, having been disqualified by the chancery judges, might not take his seat. Bacon thereupon urged the Commons "not to contest with the King," to negotiate with the Lords "plainly and freely . . . and let them know all the reasons," and to debate the question before the judges.²² The Commons, however, decided against a conference with the judges, but addressed a communication to the king setting forth the reasons for

²¹Coke, 7 Rep. 1.

²²Journals of the House of Commons, 159.

their action and their answers to the objections made by the king and the judges. This address was delivered to the chancellor by Bacon, one of a committee appointed for the purpose, on April 3, 1604.²³ James, not to be deprived of his prerogative, commanded a conference between the Commons and the judges, the result of which conference Bacon reported.²⁴ The king's adjudication of the matter was happy. He declared that both the chancery and the house were courts of record and that the returns of both should be vitiated and a new writ of election for Goodwin issued.

Another small parliamentary matter which must have interested Bacon was the arrest of Sir Thomas Shirley at the complaint of Sympson, the goldsmith who several years prior had caused the detention of Bacon. The house adjudged Sympson's action to have been violative of parliamentary privilege. Upon demand for the surrender of Sir Thomas, however, the warden of the Fleet refused to deliver him until provision by law rendered him free from later suit by Sympson. Bacon, who had previously given the opinion that the release of Sir Thomas did not deprive Sympson of relief against his debtor,²⁵ advocated, when he found the house in a quandary as to the proper procedure, that petition be made to the king to name some men to assist the sergeant-at-arms to release Sir Thomas by force. When the king learned that the warden of the Fleet, who had been imprisoned in the Tower, would not free Sir Thomas, nor would his deputy, his wife, he had the warden brought before the Fleet, where he was commanded to release Sir Thomas—a device which was successful, but unfortunate for the wealthy goldsmith, who had to pay all costs.

Several other minor legislative matters were brought before the Commons when that body met on March 23, 1603-1604. Bacon was appointed to a sub-committee to enumerate the alterations in the Book of Common Prayer and to express an opinion of the book. On March 26, 1604, he reported the deliberations of a committee on wardship of minors (of whom the crown had legal charge) which had decided to discuss wardship with the lords regarding a petition to James to adjudicate the matter.²⁶ On the next day, Bacon reported the conference with the Lords.²⁷ On June 11, Bacon also reported a conference with the Lords concerning a book by the bishop of Bristol which had given

²³*Ibid.*, 165.

²⁴*Ibid.*, 168.

²⁵Cotton MSS., Tit. F VI, 4.

²⁶Journals of the House of Commons, 153.

²⁷*Ibid.*, 155.

offense to the Commons.²⁸ The bishop was duly rebuked by the Lords, of which body he was a member.

Regarding the abuses of purveyors, whose duty it was to provide necessities for the court on its journeys, Bacon was delegated to introduce and explain a petition to the king on April 27.²⁹ He urged James to "hold them twice guilty that commit these offenses, once for the oppressing of the people, and once more for doing it under the colour and abuse of your Majesty's dreaded and beloved name."³⁰ James' reply, which was reported by Bacon, was kind and promised relief.³¹ An ensuing conference with the Lords on this subject was also reported by Bacon, the Lords deciding to abolish the purveyance system, £50,000 in lieu thereof to be paid annually to the king.

Toward the end of the session, Bacon on June 22 reported a conference with the Lords on the bill of subsidy of tonnage and poundage, in which was set forth the financial state of the union.³² When some feeble attempt was made to offer financial aid to the king, he, fearing the effort would be unavailing, sent a letter to the Commons requesting that body to give no further consideration to the matter.³³

Before the adjournment of the Commons on July 7, 1604, James sent, on June 5, a message of regret that "so few matters of weight passed," saying he was "moved with jealousy that there was not such proceeding as, in love, he expected."³⁴

But Bacon's official duty did not keep him so active that he neglected society and literature, the duad creating with statecraft the perfect trinity.

²⁸*Ibid.*, 236.

²⁹Journals of the House of Commons, 188.

³⁰Harleian MSS. 6797.

³¹Journals of the House of Commons, 192.

³²*Ibid.*, 244.

³³*Ibid.*, 246.

³⁴*Ibid.*, 232.

CHAPTER XI

Sir Francis the Philosopher

“I DESIRE to meddle as little as I can in the King’s causes . . . My ambition now I shall only put upon my pen, whereby I shall be able to maintain memory and merit of the times succeeding.”¹ Thus Bacon wrote to Cecil in a letter of July 3, 1603. Once again the philosopher endeavored to subdue the statesman.

A ceaseless pen guided by a tireless mind had already brought forth, apparently during the spring and summer of 1603, the proem of a two-fold work, the first division of which, entitled *Experientia Literata*, was to be integrated with the second, entitled *Interpretatio Naturae*. It is ironic, but human, that Renaissance thinkers like Bacon, most steeped in the teaching of Aristotle, should surfeit of their early training and reëcho the shibboleth of philosophers and poets, “Leave artificiality and return to Nature.” Bacon, in these works, would proceed from experiment to experiment, from axiom to experiment, and from experiment to the penetration of the mysteries of nature. The hope was a high one, and the attainment is but beginning to be realized after the passage of more than three centuries. In his *De Augmentis*, Bacon explains the *Experientia Literata*, and in his *Novum Organum* the *Interpretatio Naturae*, having declared in the second book of the *Advancement of Learning* his intention to show that not the deception of the senses, as the academicians believed, but the weakness of the faculties of the intellect and the “manner of collecting and concluding upon the reports of the senses” precluded the arrival at truth. In the *Advancement*, Bacon rejects the opinion of the Skeptics that it is impossible to attain to certainty of knowledge. He says, however, that the syllogism is inefficacious in solving the secrets of nature, for natural laws are not susceptible of reduction to the middle term of the syllogism.

¹Spedding, *L.L.*, III, 79-81.

The proem to Bacon's *Of the Interpretation of Nature* is a rare bit of self-revelation of the intellect. With assurance and without affected modesty, Bacon begins:

Believing that I was born for the service of mankind, and regarding the care of the commonwealth as a kind of common property which like the air and the water belongs to everybody, I set myself to consider in what way mankind might be best served, and what service I was myself best fitted by nature to perform.

In the proem he says also that he was "fitted for nothing so well as for the study of Truth"; that birth and education had designed him for state service, but that zeal had been mistaken for ambition. Now, being "a man not old, of weak health, my hands full of civil business, entering without guide or light upon an argument of all others the most obscure," he has decided to dedicate his powers to this work. Anticipating the charge of intellects less great than he was seeking to be "wise overmuch," Bacon defends with the declaration that in contemplation the criterion is truth.

As Bacon has pleaded guilty to entering without light the most obscure of the recesses of Nature, it is less than noble to attempt to prove his deficiency of knowledge in physics, mathematics, and other sciences. Bacon admittedly made no experiments materially contributing to knowledge. Indeed, even his experiment of stuffing the fowl with ice, which contributed to his death, was no innovation, for the actuality of arresting putrefaction by the use of cold had many centuries before been adequately demonstrated. To philosophy also Bacon contributed little: he neither created nor adhered to any single system of philosophy. His own statement, however, justifies him, "I have no desire to found a sect, after the fashion of heresiarchs." Not as a scientific philosopher, not as a philoscientist, therefore, is Bacon to be immortalized. With greater vision than the scientist, with keener insight into human need than the philosopher, neither crawling with science nor soaring with philosophy, he suspended himself midway between air and earth, and saw and pointed out the way in which he believed the mysteries of nature might be penetrated for the alleviation of human burdens. In the first book of the *Advancement of Learning* Bacon says, "heaven and earth conspire and contribute to the use and benefit of man." The scientist, he declares, is more concerned with the part than with the whole; the philosopher, he attractively illustrates, is like that wise man who while gazing at the stars fell into the water, whereas he might have seen the stars reflected in the water. Bacon wished, as he tells us, to be but a signpost to Nature, to be the inventor not the operator of the machine which would lead to Nature. The fairest

critical canon demands that a creator be judged by what he has attempted to do and by his success therein. Evaluating Bacon according to this canon and dismissing altogether the advance made in knowledge during the past third of a millennium and the modern demand for accomplishment, Bacon was eminently successful, not only in immolating the spurious niceties of scholastic philosophy but in directing the leashing of Nature for the advancement of man.

Cosmos out of chaos Bacon wished to create in *The Two Bookes of Francis Bacon of the Proficience and Advancement of Learning Divine and Humane*, which seems to have been begun during a period of leisure in 1603. Although Bacon again modestly hopes to be but "like a bell-ringer, which is first up to call others to church," in the *Advancement* he has produced truths which will ever ring out the call to advance the human mind.²

If the form of the *Advancement of Learning* is of heroic proportion and symmetry, it is enriched and ennobled by the radiant vestment of words with which it is clothed. The bare, leafless style of the 1597 edition of the *Essays* which burgeoned in the 1625 edition, after nearly three decades of revision, has reached maturity in the *Advancement*. If, as Goethe says, it is architectonics that distinguishes between the amateur and the artist, Bacon is one of the greatest artists in English literature, for, like the pilot who never leaves the channel of the mainstream without pausing to show the relationship between the mainstream and the various bays and estuaries which he is to sail upon, Bacon before making a division of any main heading announces his subdivisions. Nor are the various details omitted. He says in this work, "For as in buildings, there is great pleasure and use in the well-casting of the staircases, entries, doors, windows, and the like; so in speech, the conveyances and passages are of special ornament and effect." Bacon, like Pygmalion, knew the value not only of the hewn block of marble but the value of the engraving which gives form and spark of life to the formless, cold stone. Addison says truly that Bacon has "the sound, distinct, comprehensive knowledge of Aristotle, with all the beautiful light graces and embellishments of Cicero." In the *Advancement*, Bacon has joined "serpentine wisdom" and "columbine simplicity," a union impossible, he says in this study, "except men know all the conditions of the serpent." The serpent and the dove are in perfect harmony in the *Advancement*. Bacon has deserted in this work the agnostic style of the *Essays*, the method of setting forth

²Letter, undated, to the earl of Salisbury, then chancellor of Cambridge University, enclosing a copy of the *Advancement*; Spedding, *L.L.*, III, 254.

the thesis and antithesis, leaving the mesothesis to the reader. He likewise has abandoned the sagacious, starched manner of his letters.

For the philologist, the *Advancement* is no "alms-basket of words." When Bacon wrote, Old English and Latin and their descendants had not been woven into a single fabric. Here are shy Germanic words like *moe*, and stately Latin words like *suppeditation*. Of the unusual words, the Latinisms are preponderant, for Bacon was not an advocate of Old English simplicity and strength, but rather of Latinistic ductility and fluency. He has perpetuated many felicitous Latinisms. Here are obsolete words of Greek ancestry taken from mediaeval Latin, like *systasis*; and words which have survived in modern English in another form, like *reluctation*; and words which are today used only humorously, like *celsitude*; and obsolete words like *illaqueation* and *colliquation*; and here are neologisms like *non-promovent* but no fantastic coinage to equal Shakespeare's *honorificabilitudinitatibus*, which even Holofernes could not digest. "The unusual words wherewith he had spangled his speech, were," as Gosnold wrote to Anthony Bacon concerning Bacon's spoken English, "rather gracious for their propriety than strange for their novelty." The ancient manner made the style of Bacon unique as well as eloquent, grave, and impressive. But into the ancient style in which, as Bacon tells us, the Jacobean took delight and which the Areopagites wished to perpetuate, Bacon introduced something of the language of the schoolmen and the terminology of science. It is probably not hyperbolic to say that Bacon fixed the style of science and philosophy, and through that style interested the world in science and philosophy. But in the *Advancement* Bacon advises against studying words and not matter, for "Falling in love with words is falling in love with pictures."

The aphorism, of which Bacon makes brilliant use in the *Essays* like, "Virtue is like a rich stone, best plain set," reappears in the *Advancement*. Sometimes the maxim is repeated or is quite similar, as "a little or superficial knowledge of philosophy may incline the mind of man to atheism, but a farther proceeding therein doth bring the mind back again to religion," which appears with slight variation in "Of Atheism." It is this axiomatic quality of Bacon's style that makes him one of the most quotable of English authors.

Sometimes Bacon uses the *jeu de mots* of the Euphuists, as, "Socrates himself, who professing to affirm nothing, but to infirm that which was affirmed by another, hath exactly expressed all the forms of objection, fallacy, and redargution." Usually Bacon is free of the excessive preciosity of the Euphuists, although he does follow them in the use

of alliteration. He also emulates the Euphuists in the use of antithesis and symmetry. Lyly, in describing attempts upon the life of Elizabeth, speaks of those who by "private conspiracies, open rebellions, close wiles, cruel witchcrafts, have sought to end her life, which saveth all their lives." Bacon says, "... mean and small things discover greater, better than great can discover the small," and, "... the same times that are most renowned for arms, are likewise most admired for learning." In the *Advancement*, however, Bacon has failed to follow the Euphuists, as he does with great effectiveness in the *Essays*, in the use of concatenation or enchainment of clauses, each clause being arranged in climactic order, in which the effect is that of opening a telescope, beginning at the small end, or that of a pyrotechnic display, in which the explosion of one rocket creating a festoon of light is followed by the explosion of one of the lights in the festoon, thus creating another cluster of lights. This use is effective in "Of Expense," in which Bacon says, "Riches are for spending, and spending for honour and good action." For this reason, the *Advancement* is less undulant than the *Essays*; it is greyer and more even-flowing. The sentences of the *Advancement of Learning* are like the tolling of a bell buoy over a dark sea, the strokes blending with the reverberations, the continuous sound ominously warning of the adjacent reef of ignorance but predicting joyfully the rise of the sun on a cloudless sea. It is the subject that exalts the style of the *Advancement of Learning*. In the use of quotation from the ancients and in reference to natural history and mythology, Bacon conforms to the manner of the Euphuists.

In the *Advancement of Learning*, Bacon has liberated himself from the studied prettiness of the ready-made floral piece in which Spenser excels. He has the learning but not the idiosyncrasy of Burton. He has something of the beautiful rhetoric of Shakespeare without excesses like the "multitudinous seas incarnadine." In this lucid and earnest plea for freedom of knowledge, Bacon uses the sounding eloquence of Milton pleading for freedom of the press, something of the impassioned fervor of Sir Thomas Browne imploring liberality of spirit. He is more mundane than Browne: he can not release the spirit into pure ether as does Browne when he says, "There is no antidote against the opium of time," or, "In vain do individuals hope for imminds of men gentle, generous, maniable, and pliant to government; whereas ignorance makes them churlish, thwarting, and mutinous." It is only in his more mellow works that Bacon can dematerialize immortality. . . . There is nothing strictly immortal but immortality." But calmly and convincingly Bacon says, "... learning doth make the

self and ascend to the heights of Browne's, "I love to lose myself in a mystery, to pursue my reason to an *O altitudo!*" as when in *An Essay on Death*, Bacon says:

But see how I am swerved, and lose my course, touching at the soul, that doth least hold action with death, who hath the surest property in this frail act; his style is the end of all flesh, and the beginning of incorruption.

In this essay, Bacon is of the company of Jeremy Taylor, who says:

... the young man dances like a bubble, empty and gay, and shines like a dove's neck or the image of a rainbow, which hath no substance and whose very imagery and colors are fantastical; and so he dances out the gayety of his youth, and is all the while in a storm.

In this essay also is the exaltation of the farewell address of Socrates:

But now the time has come to go away. I go to die, and you to live; but which of us goes to the better lot, is known to none but God, or the rhapsody of Raleigh in his apostrophe to death:

He takes the account of the rich and proves him a beggar; a naked beggar, which hath interest in nothing but in the gravel that fills his mouth. He holds a glass before the eyes of the most beautiful, and makes them see therein their deformity and rottenness, and they acknowledge it.

O eloquent, just, and mighty Death! whom none could advise, thou hast persuaded; what none hath dared, thou hast done; and whom all the world hath flattered, thou only hast cast out of the world and despised: thou has drawn together all the far-stretched greatness, all the pride, cruelty, and ambition of man, and covered it all over with these two narrow words, *Hic iacet*.

Bacon says:

And since I must needs be dead, I require it may not be done before mine enemies, that I be not stript before I be cold: but before my friends. The night was even now; but that name is lost; it is not now late, but early. Mine eyes begin to discharge their watch, and compound with this fleshy weakness for a time of perpetual rest; and I shall presently be as happy for a few hours, as I had died the first hour I was born.

It is not only to the ancients, but also to the musical rhythm of the Vulgate, to the resounding vowels of the Bible as translated during the reign of James, that the language of the Renaissance owes its nobleness.

Bacon, like other authors of the Renaissance, found rich treasure also in the figurative language of the Bible. In his similes, used with frequency in the *Advancement*, may be found the beauty of the King James Version:

For as water, whether it be the dew of heaven, or the springs of the earth, doth scatter and lose itself in the ground, except it be collected into some receptacle, ... so this excellent liquor of knowledge,

whether it descend from divine inspiration, or spring from human sense, would soon perish and vanish to oblivion, if it were not preserved in books, traditions, conferences, and places appointed, as universities, colleges, and schools, for the receipt and comforting of the same.

To the extended allegory which makes perpetual the teachings of Jesus, to the illustration which makes familiar the abstruse doctrines of the ancients, Bacon has gone repeatedly for inspiration. The words of John:

I am the vine, ye are the branches: He that abideth in me, and I in him, the same bringeth forth much fruit: for without me ye can do nothing

are scarcely more spiritual than those of Bacon in *An Essay on Death*:

So man having derived his being from the earth, first lives life of a tree, drawing his nourishment as a plant, and made ripe for death he tends downwards, and is sowed, again in his mother the earth, where he perisheth not, but expects a quickening.

For its lucidity, eloquence, inspiration, and nobility, the language of Bacon will have immortality. He broke the magic chain of words with which the schoolmen had bound learning. In the first great English prose work of secular interest, he clothed his thought in formal conversational language, ductile yet stately. He speaks the tongue of the ancient philosophers and of the Bible.

Conceding that his cross-references are tedious, that his survey sometimes does not admit of following the nebulous threads which conjoin one division of knowledge with another; that his categorizing is sometimes inaccurate; that he had some personal and temporal limitations of the intellect, it must be conceded, nevertheless, that one possessing the merest fondness for learning is enkindled by his ardor. Although not a poet, and, moreover, an advocate of the unadorned style in philosophy, he is none the less one of the most poetic of English philosophers. The instrument used to measure his vision must be not the yardstick of the academician or the leveling instrument of the surveyor, but the quadrant of the astronomer.

The *Advancement* is a survey of the sciences, intended to correlate and evaluate existing knowledge and to indicate wherein advancement might be made, the ultimate purpose being to make nature subserve the interests of man. The spirit of the Renaissance is strong in Bacon in wishing man no longer to be circumscribed by Nature but Nature to be reduced to the needs of man. Under Bacon's plan, knowledge would be disciplined and trained; no longer would it lose the scent and run wild and bark loudly with the pack.

Immediately upon the publication of the *Advancement* in 1605,³ Bacon sent a copy to his college; to his university; to Oxford University; to the earl of Northampton, asking that he present it to James, "the learnedst king that hath reigned";⁴ to Sir Thomas Bodley, who in building the library at Oxford had constructed "an Ark to save learning from deluge";⁵ to the earl of Salisbury,⁶ then chancellor of Cambridge University; to Lord Treasurer Buckhurst; and to Lord Chancellor Egerton; as well as to his close friend, Tobie Matthew, then in Florence, to whom he said that the first book is "but as a Page to the latter." In an undated letter, Bacon asked Dr. Playfer, professor of divinity at Cambridge, to translate the *Advancement* into Latin that it might have a "second birth." Bacon, having told Dr. Playfer of his desire to utter "rather seeds than plants," was disappointed, as Tenison tells us in his *Baconiana*, with a polished specimen of the translation which Dr. Playfer submitted to him and declared that he "desired not so much neat and polite, as clear, masculine, and apt expression." Under date of July 25, 1608, in the *Commentarius Solutus*, appears the note, "Proceeding with the translation of my book of Advancement of Learning: hearkening to some other, if Playfere should fail." In the address to James, to whom the work is dedicated, Bacon says that the first book deals with the excellence of learning, the second with the progress and defects of learning.

The *Advancement* evaluates knowledge of the past and present and predicts its future progress. One of the desires of Bacon is to retrieve learning from the slough of discredit into which it had been cast by divines, politicians, and the learned themselves. The divines had come to believe that learning, inclining the mind to atheism, had debauched religion. Bacon answers by avowing, as he had done in the *Essays*, that a superficial knowledge of philosophy may allure one toward atheism, but that a real knowledge thereof conduces to religion. With conviction, Bacon replies to those politicians who had come to believe that learning enervates the mind and leads one from an active life to a contemplative life that, in the history of nations, the ages most renowned for military prowess are most famous for learning. Following Plato, he says that those times will be happy when philosophers are kings, or kings philosophers. Bacon admits that learning has decayed in the hands of those who have been entrusted with it because of their

³Chamberlain reported the publication to Carleton on November 7. Calendar of State Papers, Domestic Series, XVI, 23.

⁴Additional MSS. 5507, 29b.

⁵*Resuscitatio*, Supplement, 34.

⁶Additional MSS. 5503, 28.

indigence and the meanness and privacy of their lives. He admits also that learning has become fantastic, contentious, and delicate; that men strive more for words than for thoughts, their thoughts having been imprisoned within a few books, particularly those of Aristotle; that learning has become tainted with untruth; that imagination has displaced reason in the sciences, particularly in astrology, natural magic, and alchemy. He goes on to say that men, not realizing that they are both antiquity and futurity, embrace too zealously either the old or the new; that men have mistaken the end of knowledge, usually seeking not to exercise their reason for the benefit of mankind, but exercising it because of natural curiosity or mental entertainment or mental adornment, or to argue and confute or to make material gain. The end of learning, according to Bacon, is not to beckon divine philosophy from the heavens to walk with men upon the earth, neglecting thereby natural philosophy; but rather, in view of the fact that "both heaven and earth do conspire and contribute to the use and benefit of man," to reject in both that which is vain and void, and to preserve and fructify that which is sound. Science, statecraft, and scholarship have suffered because of the failure of application of philosophy to each.

Book I closes in praise of knowledge, of which "there is no satiety, but satisfaction and appetite are perpetually interchangeable"; with a quotation by Lucretius, used also in the *Essays*, in praise of the human mind which is "settled, landed, and fortified in the certainty of truth"; and with an expression of fear that humanity, like Ulysses, who preferred his wife to immortality, would prefer custom to excellence.

Book II of the *Advancement* is much like a Jacobean cosmographic map. Bacon has charted intellectual seas and shore lines; boundaries of known lands are definite and detailed, of unexplored lands hazy but suggestive. The classification of the sciences in this book was so valuable that the eighteenth-century encyclopedia projected by Diderot followed it.

Learning, Bacon says in the dedication of the second book to the king, should be applied to action. By virtue of the fact that all the professions are fed by philosophy, it seems regrettable, he says, that the colleges of Europe in his day were devoted to professional work, none to arts and sciences generally. Among other exceptions that he takes to contemporary education are the statements that basic materials have been studied in abridged form, that public lectures are poorly compensated, that experimentation is not common, that ancient practices in the universities should be revalued, particularly the custom of too early

initiating youth in logic and rhetoric and the practice of divorcing invention and memory. He says that there is insufficient co-operation and collaboration in learning among the universities—a defect which modernity has largely remedied with the inauguration of meetings and publications of learned societies—and that authors have not sufficiently pointed out unexplored fields, contenting themselves with writing in desiccated and explored fields. These defects, except for the last, Bacon says must be remedied by a king; a private man may but point the way at the crossroad of knowledge.

The faculties of the human mind are the bases of the division of learning. History appeals to man's memory, poetry to his imagination, and philosophy to his reason.

History, Bacon says, is of four kinds: natural, civil, ecclesiastical, and literary. Poetry Bacon defines as:

a part of learning in measure of words for the most part restrained, but in all other points extremely licensed, and doth truly refer to the Imagination; which, being not tied to the laws of matter, may at pleasure join that which nature hath severed, and sever that which nature hath joined, and so make unlawful matches and divorces of things. . . It is taken in two senses, in respect of words or matter. In the first sense it is but a character of style, and belongeth to arts of speech, and is not pertinent for the present. In the later, it is (as hath been said) one of the principal portions of learning, and is nothing else but Feigned History, which may be styled as well in prose as in verse.

The use of this Feigned History hath been to give some shadow of satisfaction to the mind of man in those points wherein the nature of things doth deny it.

Bacon says that there are three kinds of poetry: narrative, the subjects of which are principally wars and love, being imitative of history; representative, imaging actions as though they were present, being similar to visible history; and allusive or parabolical, used "to express some special purpose or conceit." This kind of learning is luxuriant, springing everywhere.

Philosophy, with divinity one of the two divisions of knowledge, is of three kinds, *viz*, divine, natural, and human.

These three divisions of learning, history, poetry, and philosophy, are the notochord of Book II of the *Advancement*. With a morphological sense more highly developed than in Book I, Bacon skilfully weaves together the vertebrae forming the various divisions of this part of the work.

In science, Bacon shows that he is much in advance of the medical theory of his day in urging that the medical profession record new ills

and their treatment. In anatomy, he suggests the stimulation of research in comparative anatomy and the vivisection of animals.

In human conduct, man should not, Bacon says, give the impression of possessing too much goodness but should show some spirit and even some edge. He should make the mind yield to the occasion; he should improve his mind, his purse, his reputation, and his honor, ever following Nature and ever believing that all is vanity.

In law, he regrets that the legal system has been devised not by statesmen but by visionary philosophers or by mere lawyers who know what the law is but not what it should be. In government, he says that the governors should know the natures of their people.

In philosophy, he urges greater application of logic to the invention of arts and sciences, the inductive method of reasoning being related to invention. He urges, also, collections of general and particular doubts and of ancient philosophies. In ethics, he says that there are two kinds of good, private and public, the latter of which is of more worth.

In divinity, he says, "More worthy it is to believe than to know as we now know." He is, in this respect, like Sir Thomas Browne, who says that it is better for one's faith not to have lived in the time of Christ and not to have seen the performance of his miracles.

In Book II, thus, Bacon reveals his ideas not only as an author, but as a scientist, a man, a lawyer, a statesman, a philosopher, and a theologian. The *Essays* disclose the ideas which flashed into his mind from time to time and were eventually set down in an orderly manner. The *Advancement* has the steady glow of a revolving searchlight playing not only upon the known land but upon the unknown sea. This work is of more value as a study of the deficiencies of knowledge than as a survey of knowledge. In this respect, it belongs to the modern world which sounds and weighs and systematizes. A book of this type should be written at least every century.

Realizing the futility of trying to do all the work himself, Bacon suffixed to the 1623 edition, in which Book II was greatly expanded, "The Coast of the New Intellectual World; or, a Recapitulation of the Deficiencies of Knowledge, Pointed out in the Preceding Work, to be Supplied by Posterity." In this addition, he suggests a universal literary history, a universal biography, a philosophical history of the heavens, a monumental study of comparative anatomy, an exhaustive account of the various languages in order that a perfect, and common, language might result, and the establishment of a system for the dispensation of universal justice. The bright path of Bacon has been

only feebly lighted by his posterity, but national literary histories and biographies may yet be combined into universal ones; astronomers are becoming philosophers; comparative anatomy is rapidly advancing; Esperanto is a weak attempt at the creation of a universal language; and peace can yet bring a real international justice.

CHAPTER XII

Bridegroom, Solicitor, Surveyor of Knowledge

"I HAVE found out an alderman's daughter, an handsome maiden, to my liking."¹ This from Bacon's letter of July 3, 1603, to Sir Robert Cecil is not the ecstatic rapture of a lover, but the rationalism, as Bacon reveals in his *Essays* and in his actions, that must be applied to affection and to the marital state. When Bacon wrote, he had steered cautiously for forty-two years untossed by the tempestuous, amorous seas of the contemporary sonneteers. Never once does he seem to have been impelled to sing sweetly or sadly or sophistically of the bliss and sorrow of affection. Bacon was inclined to sacrifice present life to immortality. Three years elapsed before he attained the object of his liking.

Bacon, with the superior air which he assumed when he really wanted something, declared to Cecil that he would "be content" to have "this divulged and almost prostituted title of knighthood."² This was because his eye had been attracted, although his heart had not been enmeshed; and because three of his fellows at the Gray's Inn commons had been knighted; and because he would remove the taint of having been recently restrained for debt—an emergency in which Cecil came to his aid. But his indifference was only superficial, for he added that he would appear at court "upon any warning." His wish that he might "not be merely gregarious in a troop,"³ as he wrote to Cecil on July 16, 1603, was denied, for at Whitehall on July 23, he, one of three hundred, was dubbed a knight.⁴

Bacon's detention for debt, in which Cecil became his surety, was contempt of the king's service, he complained. He suggested that the offender be punished, advising Cecil at the same time that he would

¹Spedding, *L.L.*, III, 80.

²*Ibid.*

³*Ibid.*, III, 81.

⁴Nichols, *James*, I, 208.

not be able to pay the sum at the time agreed upon. To rid himself of the bulk of his debts, Bacon declared his intention to sell some of his land in Hertfordshire, preserving the house and enough land to provide a living of three hundred pounds annually. In the same year, 1603, he made a note of his debts, which amounted to seven thousand four hundred pounds on his own account and two thousand six hundred on that of his brother.

The wedding of Bacon, perhaps more than anything else in his life, shows his ceremonious nature. Absorbed with affairs in parliament, he none the less laid elaborate plans for his marriage to Alice Barnham, which took place on May 10, 1606, one of his busiest days in parliament. The marriage was of both private and public interest. At the wedding held in "Maribone Chapel," as Carleton tells us in his letter of May 11 to Chamberlain, the "stores of fine raiment" worn must have drawn "deep into her portion."⁵

Alice's mother was Dorothy Barnham, the daughter of Humphrey Smith, purveyor of silks to Queen Elizabeth. Her father was Benedict Barnham, who had studied at Oxford. Benedict died in 1598 and left four daughters, all of whom married into the English aristocracy, the eldest becoming the wife of the licentious earl of Castlehaven. In 1598 also, when Alice was five years old, her mother through remarriage repaired the fortunes of the handsome and athletic Sir John Pakington, graduate of Oxford and student at Lincoln's Inn, whom Elizabeth called "Lusty Pakington." Sir John seems to have had little happiness with his "violent lady," for she parted from him the next year and had him imprisoned in 1617. Upon his death, his widow married the third time. Robert Needham, her husband, had been married three times before. Bacon's mother-in-law outlived him for five years, dying in November 1631.

The wedding dinner was held at Sir John Pakington's home on the Strand, the principal guests—all friends of Cecil—being Sir Hugh Beeston; Sir Walter Cope, who sat in 1604 for Westminster; and Sir Michael Hicke, secretary to Cecil, who had aided Bacon financially and who had acted as his intermediary with Cecil. It was common gossip that Bacon had said that if he could not have his cousin present, he "would have him at least in his representative body."⁶

The match was not a brilliant one in so far as the ages of the bride and groom were concerned. The bride seems to have been but fourteen, the groom more than thirty years her senior. But such

⁵*Calendar of State Papers, Domestic Series, XXI, No. 22.*

⁶*Ibid.*

was the custom of the time. The alliance was not a bad one for Bacon, for the bride was of good family and had a fair income, which was supplemented by a settlement that Bacon made upon her.

Until a short time before his death, Bacon's married life seems to have been relatively happy. Dr. Rawley tells us in his commonplace book, however, that the wit of Lady St. Albans "lay forward: viz. in her tongue."⁷ Bacon spoke too soon when, on August 4, 1606, he wrote to his cousin, Sir Thomas Hoby, son of the translator of Castiglione's *Il Cortegiano*, about his "doubled life," saying, "I thank God I have not taken a thorn out of my foot to put it into my side." Although Bacon does not seem to pay tribute to marriage in his essay "Of Marriage and Single Life," published a short time after his marriage, it should be remembered that he is looking at marriage impersonally, presenting both the thesis and the antithesis. It is true that he says that "wife and children . . . are impediments to great enterprises," but he adds, "either of virtue or mischief." Evidence that Bacon both approved and disapproved of marriage might well be collected from this essay.

"A married man is seven years older in his thoughts the first day,"⁸ Bacon said in a letter to the lord chancellor appealing for his aid in an attempt to secure the solicitorship. Long before his marriage, however, Bacon hoped for preferment. On October 28, 1604, when the solicitor-general was created chief baron of the exchequer, Bacon was disappointed, for the solicitorship was given to Sergeant Doderidge. Again, in March, 1606, when it was rumored that Coke was to be made chief justice of the common pleas, Bacon had hope that he might secure the solicitorship, a position which he had declared he would not fill while Coke was attorney-general.⁹ He wrote to Salisbury requesting his aid in securing the solicitorship, "chiefly because I think it will increase my practice."¹⁰ Once more, Bacon was disappointed, for Coke kept his place as attorney until June 29 of the same year, when he became chief justice of common pleas. Doderidge retained his position as solicitor, and Hobart was appointed to the attorney-generalship on July 4.

Piqued by his disappointment, Bacon wrote to James, reminding the king of his services in connection with the union, the subsidy, the bill of attainder, the purveyance, the ecclesiastical difficulties, and the

⁷Lambeth MSS. 1034.

⁸Additional MSS. 5503, 37.

⁹Winwood, *Memorials*, 11, 198.

¹⁰Additional MSS. 5503, 102.

grievances of the commonwealth.¹¹ He reminded the king, also, of his promise to give him the solicitorship upon the removal of Coke, of his nine years of service to the crown, and of his relationship to Cecil. Too shrewdly, he wrote also, as has been noted, to the lord chancellor reminding him that his marriage, which was advanced by the wife of the chancellor, had changed his status, making it imperative that he satisfy his wife's friends by securing the solicitorship.¹² He wrote to Cecil also requesting the place.¹³

A year was to pass before Bacon received the solicitorship. Various governmental affairs had meanwhile attracted his attention.

Protestantism and Catholicism clashed on November 5, 1605, when the Gunpowder Plot was revealed. The old prints represent it as a conflict between heaven and hell, with Guy Fawkes applying the match to the powder in the vault beneath the House of Lords while the devil manfully blows the bellows. The guardian angel, however, floats above, flashing her lantern to throw righteous light upon the dark deed. Bacon, despite his official legal duties, seems to have had little to do with the examination of the conspirators, eight of whom, including the Jesuit priest Garnet, were executed. To Sir Robert Cecil, who in this year was created earl of Salisbury, Bacon sent the examination of John Drake, servant to the shoemaker Thomas Reynolds. Drake deposed that a Mr. Beard, one of the customers of Reynolds, had said that the plot "had been brave sport if it had gone forwards." In a letter docketed January 17, 1605, to his friend Hickes, Bacon says that he would have seen Hickes but for his having been commanded to attend the Westminster indictments on that day.¹⁴ It may be also that a letter to Matthew enclosing a "relation," which is now lost, was an account of the trials.

With the convening of parliament on November 5, action was immediately taken to attempt to suppress conspiracies and to keep surveillance over recusants. On January 21, 1605-1606, Bacon was made a member of a committee to consider action against recusants. On February 7, the two houses appointed subcommittees to agree upon a plan of procedure. Bacon reported this conference, giving particular attention to the "meditation of the king," in which he divides Papists into three groups. First there are the "old, rooted, and rotten," who may not well be reclaimed, for they are "rather superstitious than seditious"; second, "novelists," who are "most

¹¹*Ibid.*, 5503, 38.

¹²*Ibid.*, 5503, 37.

¹³*Ibid.*, 5503, 36b.

¹⁴The trials of the conspirators began on January 27.

malignant," and are "to be sifted by oaths"; and, third, the youth, who are to be nipped "in bud" and whose christenings and marriages must be watched closely."¹⁵ On March 5, Bacon was appointed to a committee to draw the bills. On April 10, when the question of permitting members of the king's counsel who were also members of the Commons to give evidence, Bacon objected that, as all the counsel were of either the upper or lower house, if the attorney-general were at the time commanded by the Lords, the king would have no counsel in the Commons. It was decided, however, that the attorney-general being available, he should give evidence at the bar and that other members should not give evidence. When the bill finally passed the Commons, Bacon was selected to carry it to the Lords.

On February 24, Bacon was appointed to a committee to consider a "bill for the better establishing of true Religion." In the consideration of the grievances of the commonwealth, Bacon was, on April 16, given charge of particularizing, for the use of the House of Lords, the questions concerning "the deprivation, suspension and silencing of ministers." Bacon reported the speech of the archbishop of Canterbury, the representative of the House of Lords, in the matter of attacks upon the formalities of the church by recalcitrant ministers.¹⁶

On February 10, it had been agreed to give the king a double subsidy. When James expressed his thanks to the lower house, he suggested also that committees from both houses investigate the matter of purveyance. On March 1, Bacon, one of eight representing the Commons, reported a conference held by the two houses before the judges.¹⁷ Another conference, held on March 4, brought no decision. During a long debate, which lasted for several days, Bacon delivered an address in which, from the meager notes, he seems to advocate compensating the king for relinquishing his right, saying the "King cannot part with his Prerogative."¹⁸ The bill concerning purveyors was sent to the House of Lords by Bacon, but, despite his recommendation of acceptance, it was rejected. The king then, in order to prevent abuse in the purveyance of his progresses, issued a proclamation limiting the action of the purveyors and providing punishment for the violation of the proclamation.

On March 25, 1606, Bacon reported the meeting of the committee on subsidy, at which time it was agreed to grant four subsidies.¹⁹

¹⁵Journals of the House of Commons, 265.

¹⁶*Ibid.*, 302.

¹⁷*Ibid.*, 267.

¹⁸*Ibid.*, 279.

¹⁹*Ibid.*, 289; *Calendar of State Papers, Domestic Series*, XIX, 80.

Three days earlier he had written to Salisbury saying he proposed to report the subsidy.²⁰

It had been decided, however, that the grievances of the nation should be considered contemporaneously with the subsidy. Bacon had, according to the House Journal of April 11, spoken against one of the grievances. On April 18, a committee, including members of the learned counsel, was appointed to set forth the grievances. On May 13, Bacon read the grievances to the king, and on May 15, 1606, he reported his speech thereon.²¹

During this parliament, Bacon also argued against the Bill of Sheets' attempting to regulate fees payable for copies issued by courts of record.²² The manuscript seems to be a certified copy of an opinion given by Bacon in opposition to the bill, which Bacon says "sprung out of the ashes of a decayed monopoly by the spleen of one man; that because he could not continue his new exaction, therefore would not pull down ancient fees." Bacon argues that it would be meet to raise the fees, which had not been changed for a hundred years, rather than to abolish them; and that, among many other things, the bill established a penalty of twenty shillings for every faulty line, or eighteen pounds a sheet, an extreme penalty.

June 25, 1607, was a happy day for Bacon, for, through a series of promotions, the solicitorship became vacant on that day, and he was appointed to the position, one which, just about a year later, he estimated to be worth a thousand pounds annually.

In the performance of his legal duty Bacon became involved in a dispute as to the jurisdiction of the council of Wales, a copy of the salient facts of which has been preserved by him.²³ A widow sued Farlie "for a copyhold which she claimed by the custom of a manor." The lord president and council in the marches ordered Farlie to permit the widow to have peaceful possession until the court of the manor had rendered decision; but Farlie violated the order and was imprisoned. The question then arose as to whether the council had absolute power to sit as a court, being responsible only to parliament; or whether the council was created by the king's prerogative and was, therefore, responsible only to the king, the king's prerogative being derived not from the law but from God. The conclusion of the document is that final authority was vested in the king, and "God forbid also upon pretence of liberties or laws government

²⁰*Calendar of State Papers*, Domestic Series, XIX, No. 68.

²¹*Journals of the House of Commons*, 308 and 309.

²²Tanner MS. 169, 42, Bodleian Library.

²³*Calendar of State Papers*, Domestic Series, X, 86 and 87.

should have any head but the king." In a spirit of compromise, however, it is added that a king who does not govern by the law "*can neither be comptable to God for his administration, nor have a happy and established reign.*" The contention had been made that the act of 34 Henry VIII, establishing the presidency and council of Wales and the marches thereof, did not include the adjoining shires involved in this question. The document prepared by Bacon (being written in the hand of an amanuensis known to have been in Bacon's employment at this time and docketed in Bacon's hand) declares, however, that, although the president and council are to reside in Wales, they are "*to hear and determine all matters assigned by the King.*" The document closes with the argument that once the power is taken from the king's hands, "he shall hardly or never recover like power."

Another document, in the same hand and in the same collection, evidently submitted by Bacon to Salisbury, and, like the first, probably drafted in 1605 or 1606, suggests a practical measure for disposing of the troublesome question. It proposes that the king grant jurisdiction to the lord president of Wales over the shires in question.

The suggestion was not adopted. When a new president of Wales was appointed in 1607, Bacon, it would seem, drafted for the king a proclamation, which was not published.²⁴ It declared that James was resolved "not to lose or give over, but to continue and maintain, every such ancient possession and practice of jurisdiction, and in no sort to endure, under the pretence of any opinion of law, either the acts of our predecessors to be blemished or questioned, or the rights of our posterity to be diminished or prejudiced. . ." This question was not to be disposed of finally for some years. Again, very early in 1608-1609, Bacon, acting in his official capacity as solicitor general, was one of the counsel who maintained before the judges the jurisdiction of the president and council over the four shires. His argument, first printed in 1730 by Blackbourne, is entitled *The Jurisdiction of the Marches*.

Another important document which Bacon prepared in 1607 for the king, and which was docketed by Bacon "Jurors," but published on October 5, 1607, under the caption, "A Proclamation for Jurors,"²⁵ attempts to remove the evil of shifting the burden of jury service to the "simple and ignorant." The proclamation commands that all persons who posses freehold shall serve upon juries as occasion

²⁴*Calendar of State Papers, Domestic Series, XXXVII, 55.*

²⁵*Ibid.*, XXVIII. 67.

may require, and that sheriffs and their assistants refrain from accepting reward for relieving any person of such service.

The year 1607 was seed-time for philosophy also. In this year, it would seem, Bacon composed his *Cogitata et Visa: de Interpretatione Naturae, sive de Inventione Rerum et Operum*, published by Gruter in 1653.²⁶ This work, or a variation thereof, is referred to in Bacon's *Commentarius Solutus* (July 28, 1608) and in a letter from Sir Thomas Bodley to Bacon, under date of February 19, 1607-1608, in which Bodley says the work contains "many rare and noble speculations" and "abounds with choice conceits of the present state of learning and worthy contemplations of the means to procure it," and urges the creation of "new principles of science."²⁷ It is referred to, also, in an undated letter from Bacon to Bodley. That Bacon's letter was written after receiving Bodley's letter, and not before, as Spedding believes, seems apparent from Bacon's asking for the return of his papers and from his statement, "You are, I bear you witness, slothful, and you help me nothing; so as I am half in conceit that you affect not the argument. . ." He says further, "If you be not of the lodgings chalked up (whereof I speak in my preface) I am but to pass by your door. But if I had you but a fortnight at Gorhambury, I would make you tell me another tale; or else I would add a Cogitation against Libraries, and be revenged on you that way."²⁸ Although the *Cogitata* contains no formal preface, and one might be led to believe that Bacon was speaking of a non-extant draft containing a preface, he probably had in mind his attack upon physicians, alchemists, magicians, and others in the *Cogitata et Visa*, which, covering most of the material in the first book of the *Novum Organum*, is itself a preface introducing the *Instauratio Magna*. Because Bodley has praised faintly and has consequently condemned, Bacon says that he has helped him not at all. "To chalk up" means to give or take credit, and "to chalk the door" means, in Scots law, to give a tenant warning. Consequently, Bacon says to Bodley that he will pass by the door of the latter if he does not give him credit; or, indeed, that he will give him notice to vacate, or he will make permanent record of Bodley's attitude by adding a cogitation against libraries and librarians. Bacon says, moreover, that he would make Bodley tell another tale if he had him at Gorhambury a fortnight. This explanation, it is believed, clarifies the order of the letters and better establishes the relationship between the two men.

²⁶Queen's College, Oxford University, MS. CCLXXX, 205.

²⁷*Remains*, 80.

²⁸Spedding, *L.L.*, III. 365-366.

Before planting his new seed of philosophy in the *Instauratio Magna*, the plan for which he decided upon at about this time, Bacon considered it necessary first to uproot the desiccated weeds which had long stifled the growth of new ideas. If the weeds were destroyed, new planters, he believed, would aid him in bringing to fruition the new philosophy. Such was his purpose in composing the *Cogitata et Visa*.

"Francis Bacon thought thus," the *Cogitata et Visa* opens, and Bacon's thoughts are interesting. Doctors, he says, have declared many sick people incurable, and, in the care of the rest, have made mistakes and failed; alchemists, in the embrace of their own hope, have grown old and died; the work of magicians has been careless and fruitless; the mechanical arts have not sought much light from philosophy. Such a condition, Bacon says, is deplorable. Even that which the physician has not attained, he declares to be unattainable. The earliest searchers for truth used aphorisms as storehouses of truth for future use; those who came after them were invited to criticism and invention. At the present time, however, the relationship of master and disciple, and not of inventor and continuer, exists in science. As in the essay "Of Studies," Bacon says that today men seek knowledge for delight, for profit, or for ornament. The true end of knowledge, he believes, is continually to enrich mankind with new works and powers. Bacon reports the fact that after the Christian faith had come to maturity, the best minds turned to theology, just as the Romans turned to civil affairs. The great mother of science has, therefore, been changed into a maid-servant. Natural philosophy has stumbled over excessive superstition and the immoderate and blind zeal of religion; man has become fearful that inquiry into Nature might reveal something which would destroy religion. In the schools and colleges, also, all things have been opposed to any further development of science; the studies of men have been limited to certain authors. Knowledge of the sciences has been kept in the possession of the leaders of the people; words, vague in meaning or badly defined, have mocked the knowledge of man. Some men have believed detrimentally that the mind is dulled by experimentation and that knowledge comes from within and not from the senses. Aristotle, Bacon says, was engaged uselessly in general investigations; he corrupted natural philosophy by dialectic reasoning. Plato, he says, was a man of greater genius, and used induction throughout, not only at the beginnings, but he employed a useless and scattered reasoning, and he adulterated Nature as much with theology as

Aristotle did with logic. Prejudices of men against the new philosophic concepts have kept new ideas from being introduced in natural philosophy. Men of his own day, like Gilbert, whose *De Magnete* was published in 1600 and whose *Physiologia Nova* Bacon had probably seen in manuscript form, said a few things, but they did not really see the truth. They were unable to make such a close union with Nature as to obtain either certainty or utility. Methods of demonstration in use are neither complete nor reliable; demonstrations should not be restricted to the senses; they could be corrected more faithfully by the enlightened intellect. Bacon says that the syllogism, which Aristotle thought took the place of an oracle, consists of propositions, and propositions of words—words which are the tokens and signs of the ideas or thoughts of the mind. Therefore, if the ideas themselves, which are the life of the words, were vague, unknown or not sufficiently defined “which were accustomed to happen for the most part very much in things dealing with Nature” everything went to ruin. Induction, therefore, remains; but only the name of this is known; men thus far have kept hidden its force and use. Men should consider whether they should overthrow their old methods and establish new ones. As we expect more from old men than from young, so our age should have produced more, relying on past discoveries: peace has favored science; the condition of literature has been improved; printing has helped; and religious controversies have helped, because, from those, men have turned more willingly to their studies. Of the three ambitions of men, *viz.*, to increase their power in their own country, to increase the power of their country among other nations, and to extend the power of man over the universe of matter, the third is the most admirable. The empire of man exists in knowledge alone. Bacon believes that persons should not go from particulars digested into tables to new particulars, but should proceed to general comprehensions. He recognizes the danger, however, of jumping from particulars to general comprehensions. He believes that a form of induction should be introduced in which general conclusions may be reached from certain particulars, proving that there may not be found a contradictory instance. Bacon says that his method is one of performance rather than opinion. He recognizes that he is not founding any school of thought; he is interested in utility and enlargement of knowledge. The communication and transmittal of knowledge is equally as important as the discovery thereof. He is, he declares, preparing a work on Nature, bringing and scattering light from Nature herself so that there may,

in the future, be no need of a leader. Progress has, however, been delayed by pressure of business; and he considers it advisable to lay up something in safety. A mass of particulars, by way of example, should be offered; but it would be abrupt to offer the tables, or aphorisms, without introduction; he has, therefore, prepared this preface.

Bacon seems to have added from time to time to the *Cogitata et Visa*, for, in an undated letter²⁹ to Bishop Andrewes, then bishop of Ely, probably written in the fall of 1609, he asks Andrewes to read and criticize the *Cogitata*, "some of this vacation's fruits," which he would not "hasten . . . to publish."

But a multitude of personal and semi-professional duties disturbed Bacon's philosophic reflection. In the fall of 1607, he seems to have been keeping one eye on events in Ireland, asking at that time for information of the sister island from the secretary to the deputy in Ireland and from the attorney general in Ireland.³⁰ In the fall of 1607, the king granted to Bacon a hundred pounds, which was unpaid on December 24, 1607, when Bacon wrote a sharp letter to Sir Vincent Skinner, an officer of the Exchequer, asking what he should do to relieve himself of further embarrassment from Skinner, "to whom indeed no man ought to be beholden in these cases in a right course."³¹ One of Bacon's best friends, Tobie Matthew, had been imprisoned because of his conversion to Roman Catholicism, despite the fact that his father was archbishop of York. Bacon refers to his conversion as a seduction and urges him to turn back "from these courses of perdition," saying that "superstition is far worse than atheism; by how much it is less evil to have no opinion of God at all, than such as is impious towards his divine majesty and goodness,"³² an idea that he included in his essay on superstition. And there was a slight domestic rift: Lady Pakington, Bacon's mother-in-law, had declared that she would take back her daughter if she were cast off by Bacon. To her, Bacon answered in high dudgeon,³³ "For it is much more likely we have occasion to receive you being cast off, if you remember what is passed. . . And you shall at this time pardon me this one fault of writing to you. For I mean to do it no more till you use me and respect me as you ought." But financial

²⁹Additional MSS. 5503, 31b.

³⁰*Ibid.*, 5503, 24b.

³¹*Ibid.*, 5503, 18.

³²*Resuscitatio*, Supplement, 38.

³³*Remains*, 78.

happiness came in July, 1608, when Bacon succeeded to the clerkship of the Star Chamber, which added £2,000 to his income.

From July 25 to July 31, 1608, Bacon transferred, from temporary notes to semi-permanent form, ideas which he had entertained from time to time. This concordance he called *Commentarius Solutus*, "like a merchant's waste-book; where to enter all manner of remembrance of matter, form, business, study, touching myself, service, others; either sparsim or in schedules, without any manner of restraint; only this to be divided into two books: The one *transportata ex commentario vetere*, containing all manner notes already taken in several paper books fit to be retained (except it be such as are reduced to some more perfect form); the other *Commentarius novus*."

The *Transportata*, now in the British Museum, contains reflections upon public and private matters. Bacon is interested in obtaining patronage for his *Instauratio Magna* and in receiving co-operation in this study by appealing to the reason and imagination of men and by presenting products of his new method of the study of Nature. His *Cogitata et Visa* was to be an introduction to a specimen of the application of his method. He is attracted by the idea of the founding of a technical college and of the subsidization of scholarship in science, an idea which is repeated in the *New Atlantis* and provided for in his will. He is interested in strengthening the bonds between Scotland and England, in colonizing the wilds of Scotland, in completing his argument on the *postnati*, in civilizing Ireland, in restoring the church to the true limits of its authority, in compounding and collecting laws, and in diverting parliament and king from dispute to public questions. He is interested also in his health, in the effects of wine upon his sensitive nature, which he considers under the heading "*Memoriae Valetudinis*." He jots down the titles of minor works completed, in progress, or projected. He takes account of his assets, which he values at £24,155, with a yearly revenue of £4,975; and of his liabilities, which amount to £4,481. He is interested in the grounds of his house at Gorhambury, which he plans to enclose with a brick wall and upon which he has decided to plant flowers and fruit trees and birches and lime trees. He plans also to build an artificial lake and an island a hundred feet wide; upon the island he plans to construct a summer-house with galleries, a supping room, and a music room. He plans, also, to build other islands, one with rock and one with flowers arranged in ascent, each island to have a distinguishing statue upon it.

In the *Transportata*, Bacon shows also his interest in his private

profession. Such entries as "Testament . sor . Nevellae," and "ap-
 plieng my self to be inward with my La. Dorsett, per Champners ad
 utilit. testam.," would seem to imply that Bacon was interested in
 being appointed administrator of the wills of his half-sister, formerly
 Lady Neville, and of Lady Dorset, the widow of Thomas Sackville;
 or to be connected with the execution of the wills of their husbands.
 He is also interested in advancing himself at court. He says, "To
 have ever in readyness matter to minister taulk wth every of the
 great counsellors respective, both to induce familiarity and for coun-
 tenance in publike place," and "To wyne cred. comparate to ye
 Att. in being more short, rownd and resolute," and "Taking a cowrse
 by ye Att. to have full pract. in ye Star-chamber." In spite of the
 fact that he hopes to rise by means of the attorney-general, he con-
 siders superseding the attorney-general. He says, "To have in mynd
 and use ye Att. weakness," and "The coldest exam. weak in Gunters
 cause, weak with the Judges Arbe. cause. To full of cases and dis-
 tinctions Nibbling solemnly he distinguisheth but apprehendes not,"
 and "No gift with his penne in proclamacions and ye like."

The *Transportata* is a frank, and at times unintelligible, statement
 of thoughts which passed through Bacon's mind. It is probably the
 most self-revealing of Bacon's works, for it was intended for no eyes
 except his. It shows him to have been at times a petty, overzealous
 man, but it shows, also, his love of Nature and his love of country.

In the *Transportata* Bacon clearly shows his desire to expand the
 foreign policy of England. In addition to "Cyvilyzing Ireland, furder
 coloniz. ye wild of Scotl.," he includes the entry "Annexing ye Lowe
 Countries." In the same work he notes, "Finishing my treat. of ye
 Great. of Br. with aspect ad pol.," which he had evidently begun.
Of the True Greatness of the Kingdom of Britain,³⁴ the work to
 which he refers in the *Transportata* and one of the early excursions
 into geopolitics, seems not to have been completed. Many of the
 ideas contained therein appear in Essay XXIX, "Of the True Great-
 ness of Kingdoms and Estates," and in Latin in *De Augmentis Scien-
 tiarum*. The uncompleted work, dedicated to King James, was first
 published in 1634 by Stephens. "*Video solem orientem in occidente*,"
 Bacon had used in a speech on February 17, 1606-1607. His vision
 of a monarchy of the west is repeated in his *True Greatness*, believ-
 ing, as he did, that Britain, with England, Scotland, and Ireland
 firmly united, was in position to establish such a monarchy.

In his direct manner, Bacon, in the *True Greatness*, attempts first

³⁴Harleian MSS, 7021.

to correct existing excesses in opinions concerning greatness and then to enumerate and substantiate the true points of greatness.

Taking up the first division of his argument, Bacon says, first, that too much emphasis is usually placed upon length and breadth of territory. Size of territory is important only when the territories are compact and not dispersed, when the heart of the nation can support the provinces, when military power and size are equalized, and when all the provinces contribute to the service of the state. He says, second, that too much emphasis is placed upon the wealth of a nation, but that treasure is valuable to a nation only when it is allied to military prowess; that moderate treasure is of greater worth than abundant treasure; that a state flourishes more when some parts of the state are poor than when all parts are wealthy; and that treasure is important only when it is placed in the hands of those who know how to use it properly. He says, third, that too much consideration is usually given to the fruitfulness of the soil and the affluence of commodities. He says, fourth, that too much attention has been given to strength and fortification of towns. Because of a hiatus in the manuscript, it is impossible to determine whether Bacon expanded the third and fourth parts of his first great division.

Returning to the second division, Bacon says, first, that true greatness requires a suitable situation. The situation should be difficult of access; it should not be distant, but "in the midst of many regions," and it should be "maritime, or at least upon great navigable rivers; and . . . not inland or mediterrane." He says, second, that greatness lies in population and breed of men; third, that it lies in the military valor of its people; fourth, that every subject should be fit for military service; fifth, that the government should enhearten its subjects and not reduce them to vassalage; and, sixth, that the nation should command the sea. In the midst of a discussion of the first part of this division, which Bacon supports by historical proof, the manuscript ends.

During the summer of 1608, Bacon was occupied also with the duty of reporting upon recommendations of Sir Stephen Proctor for the reformation of abuses in the collection of fines levied under the penal laws. Sir Stephen had recommended the appointment of one man to establish a uniform practice in the collection of fines and to supervise the collection of fines. In this report, Bacon recommends leniency, rather than severity, in the execution of penal laws.³⁵ With great clarity, he sets down first the abuses and then the remedies,

³⁵*Ibid.*, 7020.

considering, first, equity to the king's subjects and then the benefit of the king. Regarding the subjects, Bacon says that an informer exhibits an information against innumerable subjects, each one of whom must answer separately. There is then a discontinuance of the case and each person informed against has to pay costs, but no penalty is exacted; the injured person dares not sue for costs for fear the informer will revive his information. Bacon recommends that the supervisor inform the court of such illegal practice, the court, in turn, to levy costs against the informer to the benefit of the injured persons and to fine the informer for the commission of a misdemeanor. Among the abuses, Sir Stephen says that informers receive pensions for neglecting to inform on them. Bacon recommends that the supervisor take cognizance of the names of those within a given trade who are not informed upon in order to determine whether they have violated the law. Sir Stephen says also that the same person is frequently annoyed by several informations for the same offense. Bacon recommends that a record of informations be kept in order that later informations for the same offense may be suppressed. Considering the benefit to the king of the proper enforcement of the law, Sir Stephen points out that very frequently the informer compounds with the guilty person but does not, as the law requires, return the license with a declaration of the amount taken in the composition; that if a fine is assessed, it is too small; and that frequently a sum larger than that noted for the composition is taken by indirect means. Bacon recommends that the supervisor require that the license be returned, that the fines imposed be proportionate to the offense, and that they be paid. Sir Stephen says that an information frequently goes to trial in which recovery is effected, whereupon the informer takes his share, but the *postea*, or record of what has been done in the case, is not returned and consequently the king loses his share. Bacon recommends that the supervisor see that the *postea*s be returned in order that collection may be made in the name of the king. Sir Stephen reports that often the informer dies or becomes silent, with the result that he is not charged with composition. Bacon recommends that such cases be reported by the supervisor to the king's counsel in order that they may prosecute if they decide the case warrants such action. Sir Stephen says that often seizures of property are made but are released by collusion. Bacon recommends that the supervisor take cognizance of such seizures and report them to the court. He suggests finally that a conference be held between the

chancellor and the barons and the learned counsel with a view to perfecting the collection of fines.

Bacon's interest in Ireland was renewed during the latter part of 1608. As a member of the learned counsel, together with Hobart and Doderidge, to him was submitted for an opinion the question of title to lands confiscated in Ulster. Bacon's opinion is that the lands of those convicted of treason revert automatically to the king and that patentees deprived of the right to enjoy their lands may sue for the recovery thereof, together with damages for wrongful occupation, but that the king's rent must still be paid. Where the king recovers lands held by knight's service *in capite*, a fine is due for any alienation of the land.

It being thus evident that the crown decided to make claim to the confiscated lands in Ireland, Bacon, at the beginning of the year 1608-1609, submitted to the king a dissertation³⁶ on the plantation in Ireland, which marks an attempt to colonize the northern part of Ireland. Bacon declares that God reserved for the reign of James the union of the kingdoms and the planting of kingdoms. The colonization of Ireland, he says, will redound to the honor of the king. It will provide an outlet for excess population in England and Scotland; it will minimize attempts of enemies to plant sedition in Ireland; and it will bring riches and power to the united kingdom. Bacon recommends that undertakers be sent into the neighboring island; that a nobility be created there. He urges that public buildings be erected at the expense of England; that a commission, to operate conjointly with a council of plantation in England, be created for the direct control of the island; and that the towns be compounded of husbandry as well as of the arts.

Meanwhile, work on the *Great Instauration* continued. During 1609 Bacon wrote to Sir Tobie Matthew, "My *Instauration* I reserve for our conference; it sleeps not," and again in the same year, "And I must confess my desire to be, that my writings should not court the present time, or some few places, in such sort as might make them either less general to persons, or less permanent in future ages. As for the *Instauration*, your so full approbation thereof I read with much comfort, by how much more my heart is upon it; and by how much less I expected consent and concurrence in a matter so obscure." The part of the *Instauration* which Bacon had sent to Matthew was possibly the *Praefatio*. On October 10, 1609, Bacon sent to

³⁶*Ibid.*, 6797.

Matthew another fragment of the *Instauration*, perhaps the *Redargutio Philosophiarum*. He said, "I framed to myself an opinion, that whosoever allowed well of that preface which you so much commend, will not dislike, or at least ought not to dislike, this other speech of preparation; for it is written out of the same spirit, and out of the same necessity. . . I see that controversies of religion must hinder the advancement of sciences."³⁷ On February 17, 1609-1610, Bacon wrote again to Matthew, "My great work goeth forward; and after my manner, I alter ever when I add. So that nothing is finished till all be finished."³⁸

Bacon's writings had attracted attention abroad. Hearing that Isaac Casaubon, the scholar then at Paris, had admired his works, Bacon wrote to him saying, "You are right in supposing that my great desire is to draw the sciences out of their hiding-places into the light. . . So I seem to have my conversation among the ancients more than among these with whom I live."³⁹

To accompany the letter of February 17, 1609-1610, Bacon sent to Matthew a copy of his latest work *De Sapientia Veterum*, telling Matthew, "They tell me my latin is turned into silver, and become current." *Of the Wisdom of the Ancients* was published in 1609 by Robert Baker, with a dual dedication, first, to his cousin, the earl of Salisbury, chancellor of Cambridge University, in which he says that he holds philosophy "of all things, next to religion, the most important and most worthy of human nature." The second was "to his nursing-mother the famous University of Cambridge," in which he says that, without philosophy, he cares not to live, and that he believes it but appropriate that what came from Cambridge should return thereto. He adds, however, "there are few footprints pointing back towards you, among the infinite number that have gone forth from you."

In his *Advancement of Learning*, Bacon says that parabolic poesy is used when "the secrets and mysteries of religion, policy, or philosophy are involved in fables or parables," and "I do rather think that the fable was first and the exposition devised, than that the moral was first and thereupon the fable framed." Using this idea as the nucleus of his *Wisdom of the Ancients*, he repeated in condensed form stories from classical mythology and gave them such interpretation as would make his philosophic, moral, scientific, governmental,

³⁷Additional MSS. 5503, 33.

³⁸*Ibid.*, 5503, 34b.

³⁹Lambeth MSS., Gibson Papers, VIII, 272.

and religious conceptions welcome to his readers. Thinking that ancient myths had already been received and believed at the time that they were used by ancient authors, even Homer and Hesiod, and that some of them had been adorned and given a new allegory, Bacon says in his preface that his efforts would be rewarded by "throwing light either upon antiquity or upon nature itself." Just as parables of the ancients were used for illuminating various subjects, just so Bacon uses them to illustrate his doctrines. Toward the end of the fable of Prometheus, Bacon says, "Such are the views which I conceive to be shadowed out in this so common and hack-nied fable." Manifestly the interpretations of Bacon of ancient myths are not accepted as true today. He used them for a special purpose: into the parables, he worked ideas which had become fixed in himself.⁴⁰

The fables are thirty-one in number. In that they set forth ideas that Bacon had entertained, they are closely akin to the essays. Unlike the essays, they are not judicious and are not susceptible of more than one meaning. The essays present positive and negative statements on a given theme; there is no conclusion. *Of the Wisdom of the Ancients* reaches conclusions.

Narcissus, by way of example, denotes self-love and represents those persons who live sheltered lives, surrounding themselves with a few friends who echo their voices. Styx symbolizes treaties and compacts of princes. The story of Proteus relates the secrets of Nature. The story of Diomedes is that of men who overthrow religious worship. In like manner, Bacon interprets the fables of the ancients to deal with kingship, religion, war, human conduct, and philosophy.

⁴⁰Compare Shelley's preface to *Prometheus Unbound*, "The Greek tragic writers, in selecting as their subject any portion of their national history or mythology, employed in their treatment of it a certain arbitrary discretion. They by no means conceived themselves bound to adhere to the common interpretation or to imitate in story as in title their rivals and predecessors."

CHAPTER XIII

Member of Parliament and Courtier

IN January 1610-1611, Bacon had reached twoscore and ten, the vertex of his career. He was still but solicitor general, a poor flight for a royal eagle. On New Years 1611, he wrote to his cousin, now the lord treasurer, "I find age and decays grow upon me, yet I may have a flash or two of spirit left to do you service." Feeling more secure financially, but with his avidity for fame yet unsated, he was urged on by hope, the frivolous impulse to existence. Knowing that he might stand on even this minor summit of life but the briefest moment, he surveyed the horizon. Through aiding the king, he saw that he could aid himself.

James needed aid. His improvidence and his immediate needs demanded that he be granted instant financial assistance from the parliament. The earl of Salisbury, who had succeeded Thomas Sackville, earl of Dorset, as lord treasurer, imposed duties upon the nation amounting to £60,000 annually. Yet this was little as compared to a crown debt of £400,000 and a heavy yearly deficit. Salisbury frankly told of the necessity of the king in a conference held by the two houses beginning on Thursday, February 15, 1609-1610. Bacon reported the most important speech of Salisbury, which emphasized the fact that the king needed aid to maintain his state, to help his friends, to resist his enemies, and to divert warfare. He pointed out that before Elizabeth entered the Irish wars she had £700,000, but that when James acceded to the throne the coffers were empty.

In view of the fact that the crown received its principal revenues from wardships and tenures and other privileges, the king was surprised to find the Commons, in reply to his request for subsidy, asking what ancient rights he would relinquish in return therefor. On March 8, 1609-1610, when a commission from the Commons met with the Lords for the purpose of petitioning the king for permission

to treat with him in the matter of wardships and tenures, Bacon addressed the body in conciliatory terms. He said, "We mean not to dispute with his Majesty what belongeth to sovereign honour or his princely conscience." He recognized the legality and longevity of tenures, but requested that the king give a favorable reply as soon as he could to the request to treat. The desired permission was granted by the king. When delay resulted in the Commons, the king demanded an immediate answer and better terms than had been offered. The Commons considered a full rejection of the king's terms, and also discussed maintaining silence, the most eloquent of responses. In accordance with the advice of Bacon, however, that a "decent, modest, respective message" be given, the Commons returned a diplomatic answer on May 3, but one which declined to offer better terms. When the question arose as to whether the Commons would receive through their speaker a message delivered to him by the king, Bacon, in a speech made on or about May 14, requested the Commons "to desist from farther question of receiving the King's messages by their Speaker, and from the body of the Council, as well as from the King's person."¹ The Commons then decided to receive messages delivered to them by their speaker when they came from the king, but not to receive messages from the council as messages sent by the king.

The king sent a message to the Commons commanding them not to dispute "the King's power and prerogative in imposing upon merchandises exported or imported." The house soon thereafter appointed a committee to consider the question. Bacon, in one of the committee meetings, declared that if the matter in question concerned the right of any subject in the commonwealth, he would not advise the house to desist from consideration of the matter. If, however, the matter in question concerned the prerogative and power of the crown, it was the custom for the house to desist. After citing a number of precedents, he advised that the house, in this case, forbear to question the right and prerogative of the crown to impose duties. The king finally receded from his position and requested the house to continue its consideration.

On June 11, the Lords requested a conference with the Commons concerning matters which "are to be imparted to them by His Majesty's late commandment."² The solicitor general, Bacon, being appointed to deliver a message to the Lords, said that if the Lords

¹Harleian MMS, 6797.

²Journals of the House of Lords, 11 June.

wished only to "communicate unto them their own conceits or anything which they had received from his Majesty, they were come hither with all willing readiness to receive it." He added, however, that if the Lords were but acting as messengers to the Commons from the king, "this course was contrary to the ancient orders, liberties, privileges, and graces of this House."³ The question of supply was brought up again on June 14.⁴

But the question as to whether the king had power to impose duties upon merchandise without assent of parliament was again brought up, Bacon speaking, on June 27 it would seem, in behalf of the king's power.⁵ Bacon answered the objection that the king has usually sought the consent of parliament in such matters by saying that the power inheres in the king but that frequently kings wisely, to strengthen themselves and to content the people, have such rights supported by parliamentary action.

On July 3, 1610, the house appointed a committee to present the king its grievances, having decided not to press its rights. On July 7, Bacon was appointed to present the grievances, which he did in his usual diplomatic manner.⁶ Among the grievances presented by the Commons was one relating to "new buildings in and about London" and another "to the making of starch with wheat." The question arising as to whether the king alone could impose restrictions upon such things, at a conference on September 20, Coke desired time for conference and consideration, whereupon Bacon reminded Coke that the question was not new and that Coke had himself given sentence in such cases. Coke, nevertheless, still asked for time to consider the matter.

The king having asked a revenue of £220,000 a year, the Commons on July 13 offered £180,000, whereupon the king agreed to compromise on £200,000, in which the house acquiesced with the provision that the king, among other things, abolish the court of wards, banish informers, claim no old debts, and demand no lands which had been out of his possession for sixty years.⁷

When the parliament was reconvened, both the king, fearing that he had offered to give up too much, and the Commons, fearing that they would find the new arrangement burdensome to them, were not entirely satisfied with their agreement. The king then demanded

³Additional MSS. 4210, 37b.

⁴Journals of the House of Commons, 439.

⁵Harleian MSS. 6797.

⁶*Ibid.*, 6797.

⁷Winwood, *Memorials*, III, 194.

£500,000 for supply and £200,000 annually for his concessions. During the ensuing discussion, Bacon reported a speech by Lord Treasurer Salisbury. He attended, also, with twenty-nine others from parliament, a conference with the king, but he spoke "in a more extravagant style than his Majesty did delight to hear," whereupon the king called on Sir Henry Neville for an answer.⁸ On November 23, 1610, Bacon spoke in the house, urging that supply be granted to the king. On February 29, the parliament was dissolved without grant of any aid.

But the years 1610 and 1611 were not without their personal distractions. Some of the spring days of 1610 were occupied in reading a part of the manuscript of William Camden's *Annals of Queen Elizabeth*, and particularly that part dealing with Bacon's father, Sir Nicholas Bacon. Had Francis left a son so zealous of his father's reputation as Francis was of that of Sir Nicholas, we might today better understand the enigmas of Bacon's life and character. To Camden's account of Sir Nicholas, Bacon made some additions, dignified but none the less eulogistic. He attempted, furthermore, to justify the action of his father, who did not attempt to procure the repeal of the statute of Henry VIII which excluded both Mary and Elizabeth, but who fell back upon the order of succession as provided in 35 Henry VIII. Bacon also attempted to justify the action of his father as moderator at a conference held at Westminster on March 31, 1559, between Protestants and Roman Catholics, from which the Catholics withdrew because Sir Nicholas presided as judge. Bacon returned the manuscript to Cotton on April 7, 1610, saying that he had made some insertions "for my father's honour, as a son, I confess; but yet no further than I have the two great champions, both truth and opinion, of my side."⁹

The strong earthly spirit of Bacon's mother withered in the late summer of 1610. On August 27, Francis wrote to his old friend, Sir Michael Hicke, asking him to attend the funeral of his mother, which was to be held three days later.¹⁰ He seems almost cold when he writes, "I dare promise you a good sermon to be made by Mr. Fenton the preacher of Gray's Inn; for he never maketh other. Feast I make none," but he says that if he had the company of Hicke for two or three days he would "pass over this mournful occasion with more comfort."

⁸*Ibid.*, 235.

⁹Cotton MSS., Julius Caesar III, 716.

¹⁰Lansdowne MS. XCI, 94.

Bacon's literary work also probably occupied much of his time during 1611, for in 1612 another edition of his *Essays*, revised and augmented, was published.

Bacon was looking ahead: he possessed abundantly the first requisite of success—the ability to keep an eye on the position immediately above him. In an undated letter to the king, probably written in 1611, Bacon asked James for assurance that he would succeed to the attorney generalship when that office might be vacant.¹¹ A short time thereafter it would seem, for Bacon mentions the king's promise to keep him in mind for the place, Bacon wrote again to James, at a time that the attorney-general was ill, thanking him for his favor and saying, "I hope Mr. Attorney shall do well. I thank God I wish no man's death; nor much mine own life, more than to do your Majesty service." At New Year, 1611-1612, he sent the season's compliments to Salisbury and thanked him for finding "your Lordship even as I would wish" during the illness of the attorney-general.¹² He adds, "I find age and decays grow upon me, yet I may have a flash or two of spirit left to do you service."

Bacon was alert to advise the king on questions within the bailiwick of the solicitor general as well as outside thereof. He found opportunity once again to bring himself to the notice of the king by offering advice in the settlement of the estate of Thomas Sutton. Among other bequests, Sutton left £6,000 or £8,000 annually for a hospital at the Charterhouse, his own heirs being left relatively little.¹³ When the will was called into question, Bacon saw opportunity to preen himself for the attorney-generalship. He wrote a letter to James objecting to the will.¹⁴ "For to design the Charterhouse," he says, "a building fit for a Prince's habitation, for an hospital, is all one as if one should give in alms a rich embroidered cloak to a beggar." He adds, "if such an edifice, with six thousand pounds revenue, be erected into one hospital, it will in small time degenerate to be made a preferment of some great person to be master, and he to take all the sweet, and the poor to be stinted, and take but the crumbs. . ." Bacon says, however, that he would have the will stand if it were found good at law, and, indeed, he would have it remedied by a court of equity if it were possible to do so. He says, nevertheless, that he believes a number of smaller hospitals

¹¹Lambeth MSS., Gibson Papers, VIII, 5.

¹²Additional MSS. 5503, 43b.

¹³*Calendar of State Papers*, Domestic Series, LXVII, 104.

¹⁴Harleian MSS. 6797.

would be of greater benefit than a single one of great size. He goes further and says that concentration of relief invites an excess of the poor to that place instead of relieving those domiciled therein. With great wisdom, he notes that it is the purpose of the hospital to see that there are no beggars and that it become not "a corporation of declared beggars." He would, therefore, aid those of a higher class than professed beggars, such as maimed soldiers, unfortunate business men, and destitute churchmen.

Sutton left also a large sum for the foundation of a school for eighty students. For this bequest, similarly, Bacon has regret. An abundance of grammar schools, he says, exists in England, whereas the universities are poorly subsidized. He would have the lecturers in each of the two universities receive £100 a year, the modern equivalent being at least \$5,000.

To carry out the religious purpose of the will of Sutton, Bacon would first establish a "college for controversies." Second, he would found an organization for conversion to the reformed religion; and, third, he would employ "preachers well chosen to help the harvest." Ironically enough, when the question was tried in 1613, Bacon was the attorney for a tanner who pretended to be Sutton's heir, and decision was rendered in favor of the will.

Engaged in writing, concerned with personal affairs, looking to future advancement, and carrying on the duties of his office, Bacon seems yet to have found time to engage in private practice. Two letters pertaining to this practice are extant. They throw some light upon vicious procedure in the judicial system of the seventeenth century. Such practices today, though they exist and pass unnoticed, are punishable under various statutes. The first letter is to the lord mayor about a charge of slander, or perhaps a more heinous offense, committed by Bacon's client, Mr. Bernard, whom the lord mayor had fined and disfranchised and imprisoned. Bacon threatens, unless his client receive relief from the lord mayor, to take action in the matter.¹⁵ The second letter, also undated, is "To my honourable friends, the Masters of his Majesty's Court of Requests," commending to the masters Mr. Edwin Cottwin, who had a suit pending in the court of requests, based upon rents which had been detained from him, and recommending that Mr. Cottwin's suit be granted.

Among his manifold professional duties, Bacon, in October 1611, revised a draft—probably that of a proclamation issued on November

¹⁵Additional MSS. 5503, 42.

23, 1611, dealing with the weight and value of gold coins. In an undated letter, he returned the draft to Salisbury and suggested three alterations therein.¹⁶ A scarcity of silver presented also a serious problem in England. The two chancellors, of the duchy and of the exchequer, and the solicitor general, Bacon, were appointed to determine the causes of such scarcity. The report, seemingly drafted by Bacon, was made early in the present calendar year 1612. Bacon says that the committee requested of the officers of the mint an account of the amount of gold and silver in the mint during the past six years, and particularly during the three months subsequent to "the last proclamation touching the price of gold," which was issued on November 23, 1611. Bacon says that the report of the officers of the mint indicated that neither the abundance of gold which had come into the mint since the proclamation nor the scarcity of silver could continue. The committee decided, among other things, that the disproportionate price of gold and silver could be remedied only by lowering the price of gold or increasing the price of silver. Silver was being exported in greater quantities than in former times; and Spanish silver was coming into the realm in abundance, but not into the mint. The committee offered to consult upon any of the propositions which they had propounded.

A higher professional duty followed Bacon's appointment as one of the two justices of the court of the verge. This was the old court of the steward and the marshal, or the marshalsea, which had cognizance of actions arising within the verge, the twelve miles encompassing the residence of the king. As this court followed the king in his progresses, thus making it inconvenient to administer justice, and as complaint had been made of the excessive fee of the knight marshal, and as there was some question as to the jurisdiction of the court, it is not unnatural that Bacon should have noted in his *Transportata* in 1608, "To make somewt of my sute and refer. towching ye place of ye Mars. eyther for my self or some other." Bacon, of course, was interested in advancing himself, but a justiceship in the court of the marshalsea was now of small consequence, for, under the statute of 28 Edward I (1300), the court of the king's bench was ordered to follow the king, thus almost negating the jurisdiction of the court of the marshalsea. A test case afforded opportunity to determine the jurisdiction of this court. When an action of debt

¹⁶*Calendar of State Papers, Domestic Series, LXVI, 103, and LXVII, 53.*

was brought against a defendant, he brought counteraction, as plaintiff, for false imprisonment. Bacon saw that the question of jurisdiction might be eliminated by enlarging the province of the marshalsea. On June 8, 1611, James created a new court, called the court of the verge, making Bacon one of the judges, the other being Sir Thomas Vavasor, marshal of James' household. The enlarged powers of this court may be seen in Bacon's charge to the jury of the court of the verge, in which he explains the service to which they had been called.¹⁷

Touching only the major points of jurisdiction, Bacon says that the jury is to take cognizance of those offenses which concern God and his church, including profaning the sacrament, disturbing religious meetings, drawing weapons in the church or the churchyard, holding a fair or market in a churchyard, and failing to attend church as required by the statutes. He also says other offenses are to be recognized, such as keeping a schoolmaster who does not attend church or is not approved by the bishop, failing to receive the sacrament at least once a year, showing open contempt for religion, refusal of any minister to use the Book of Common Prayer or deviation therefrom in his service, committing perjury, and practicing witchcraft or procuring bodily harm or unlawful love by charms and sorcery in violation of the recent statutes of James. The jury is to take cognizance also of high treason, which lies in plotting against the life of the king, the queen, or the heir apparent to the throne, and of felony for conspiring to take the life of any member of the privy council. It will also take cognizance of counterfeiting seals of the realm of defacing or counterfeiting the money thereof; of inciting to rebellion; of alienating the hearts of the subjects of the king, particularly in favor of the pope; of failure to take the oath of supremacy; of importing or disseminating crosses or religious pictures; of prophecies resulting in tumult; and of the escape of prisoners committed for treason, which is treason in itself. In his consideration of the offenses which concern the people of the realm, Bacon ardently protests against capital punishment, saying, ". . . life is grown too cheap in these times. It is set at the price of words, and every petty scorn or disgrace can have no other reparation; nay so many men's lives are taken away with impunity, that the very life of the law is almost taken away, which is the execution." He says, however, that the jury is to take cognizance also of homicide: of killing one to

¹⁷Harleian MSS. 6797.

whom the offender holds a fiduciary relationship, of murder with malice aforethought, of killing without malice aforethought, and of justifiable homicide; of offenses against women; of burglaries, robberies, and cutting of purses. The jury will also pay heed to purloining and embezzlement; unlawful assemblies; assaults; extortions among the king's officers; frauds, particularly in weights and measures; defects in highways and bridges; stealing or selling the king's fowl, eggs, and game; the sale of unwholesome foodstuffs, sales at exorbitant prices, and collusion to increase prices; and violation of the statute which requires one engaged in manual labor to have been an apprentice at the trade for seven years.

Bacon's charge to the jury of the court of the verge is a brilliant résumé of the entire English legal system, with particular application to the court of which he was a justice.

The "bright lustre of a court" had become tarnished for Robert Cecil long before 1612. Many years earlier he had written to Sir John Harington, "I know it bringeth little comfort on earth, and he is, I reckon, no wise man that looketh this way to heaven." With the entire administration of the government resting upon his malformed back, the "little elf," as Elizabeth had called him, or the "pigmy" and "little beagle," as James had called him, found relief from a friendless world when, on May 24, 1612, he died, leaving the government heavily indebted.

The Cecil dynasty had fettered Bacon. He had crawled when he might have run. Only five days after the death of his cousin, he composed a letter to King James, which he may have sent, or which, as its incompleteness would suggest, he began but put aside.¹⁸ In the letter, he refers to himself as "having been as a hawk tied to another's fist, that mought sometimes bait and proffer but could never fly." He says in the letter that if the king should say to him, "Bacon, your words require a place to speak them," he would answer, ". . . that place or not place is in your Majesty to add or refrain."

Another letter, more diplomatic in tone, dated May 31, was probably sent to the king.¹⁹ Although it does derogate from the glory of Cecil, it tells but the truth. Bacon says, "Your Majesty hath lost a great subject and a great servant. But if I should praise him in propriety, I should say that he was a fit man to keep things from growing worse but no very fit man to reduce things to be much

¹⁸Lambeth MSS., Gibson Papers, VIII, 6.

¹⁹*Ibid.*, 7.

better," a quotation included in one of the apothegms attributed to Bacon. Bacon was also honest when he said that Cecil liked "to have all business still under the hammer and like clay in the hands of the potter, to mould it as he thought good." In his usual manner, Bacon offers advice. The king should give consideration to the parliament, first, for support and, second, for drawing the subjects to the king. Without directly asking for office, he alludes to his influence in parliament, saying that he was a perfect royalist and yet held the favor of the Commons. Elizabeth, "my good old mistress," he says, "was wont to call me her watch-candle, because it pleased her to say I did continually burn (and yet she suffered me to waste almost to nothing), so I must much more owe the like duty to your Majesty, by whom my fortunes have been settled and raised."

At about the same time apparently, Bacon addressed another letter,²⁰ undated, to the king, probably realizing that James would not understand the subtle suggestion contained in his previous letter. After referring to his father and to his own experience in France and in the council chamber, he offered his services to the state.

In spite of his tender of services, Bacon received nothing. He may have had hope of the mastership of the wards, a lucrative position which had been held by both William Cecil and his son Robert. Rumor connected the name of Bacon with the new mastership. Whether Bacon expected the office is unknown; but it is known that he prepared an elaborate declaration for the first sitting of the master.²¹ After pointing out that the king himself was the real master of the wards and that the person holding office was but a substitute of the king, he pointed out, *inter alia*, that special care should be taken to procure proper persons to act as guardians for the wards, that they be religiously sound, and that annual inspection be made of the "persons, houses, woods, and lands" of the wards. He then proceeded to draft directions for the master of the wards to observe, including, among other things, the specification that the master be present at the time of arranging for the care of the wards and that the master render account semi-annually to the king.²² Again Bacon was disappointed: the mastership went to Sir George Carey.

On June 27, 1612, it became the official duty of Bacon to address Lord Sanquhar, a Scotsman, before judgment was passed upon him

²⁰*Ibid.*, 224.

²¹Harleian MSS. 7020.

²²*Ibid.*

for procuring the murder, through a servant, of an English fencing-master named Turner, who, five years before the murder, had in fencing with Sanquhar blinded him in one eye. The address, printed in the supplement to the *Cabala*, follows an address by the attorney-general. Bacon says, in view of the confession by Sanquhar, the duty of the jury is at an end, and that it is unnecessary to aggravate the heinousness of the crime. He adds, sounding much like Roger Ascham in his attacks upon Italianism in *The Schoolmaster*, that the malice of Sanquhar must have been "sucked . . . out of Italy and outlandish manners where you have conversed, than out of any part of this island, England or Scotland." After praising King James for being no "respector of persons; but English, Scottish, nobleman, fencer, are to him alike in respect of justice," he adds that although the crime of Sanquhar has been great, yet "your confession hath been free, and your behaviour and speech full of discretion; and this shows, that though you could not resist the tempter, yet you bear a christian and general spirit, answerable to the noble family of which you are descended." On June 29, Lord Sanquhar was hanged. With the same judicial calm that Bacon had prosecuted his former friend, the earl of Essex, he prosecuted the countryman of King James, displaying, in both cases, unswerving loyalty to the laws of England and to his sovereign.

The succession was threatened in June 1610, when Arabella Stuart, the cousin of James, was married to William Seymour. Shortly before Elizabeth's death, the queen caused Arabella to be arrested because of her threatened marriage to Seymour. The union was considered particularly dangerous because Arabella was the great granddaughter of Margaret, eldest sister of Henry VIII. After James, Arabella was considered to stand next in succession to the crown, and by many to have a right superior to that of James because of her birth in England. Seymour, in addition, was the grandson of Catherine Grey or Seymour, the great granddaughter of Henry VII. After the execution of Lady Jane Grey, the sister of Catherine, the latter, by the provisions of the will of Henry VIII, stood immediately after Mary and Elizabeth. Catherine was particularly dangerous to Elizabeth because Philip of Spain threatened to marry her and dethrone Elizabeth on the ground of illegitimacy. It is evident, therefore, that the marriage of Arabella and William Seymour might jeopardize the normal succession. James immediately ordered Arabella confined to Lambeth and Seymour to the Tower. With the help of her aunt, the countess of Shrewsbury, Arabella escaped, and, in man's clothing,

rode to the Thames to take a French ship for Calais. Through a ruse, Seymour also escaped and took another ship for the continent. Arabella was overtaken, however, and was confined in the Tower. The countess of Shrewsbury was examined by the council in June 1611, but she refused to answer. On June 30, 1612, she still refused to reveal her part in the escape because of a rash vow that she had made not to do so. It was then agreed to subject her to censure in the Star Chamber. The censure, published in the *Cabala*, was, it is generally agreed, written by Bacon, who pointed out that "rash vows of lawful things are to be kept, but unlawful vows not." He added that she might learn her duty of Arabella, a lady of higher rank, who had consented to the interrogation. He closed with the hopeful statement, "I do not doubt but by this time you see both your own error; and the King's grace in proceeding with you in this manner." The countess of Shrewsbury was sent back to the Tower. Lady Arabella died in 1615. William Seymour, after the death of his wife, was allowed to return to England, where in April 1618, he married Frances, the daughter of Bacon's former friend, Robert Devereux.

An approaching wedding in England gave work to Bacon. He was directed by the council to prepare instructions to the commissioners for the levying of aid for the marriage of princess Elizabeth, the eldest daughter of King James, to the Elector Palatine of the Rhine, Frederick V, later head of the Bohemian states, as well as to prepare the commissions for the king's signature. In order to simplify the procedure, Bacon advised that the king needed to sign only the draft, the individual commissions to be signed by six of the privy council.²³ The instructions which Bacon prepared soundly advise that the aid be collected with as little discontent as possible.²⁴ He pointed out that such aid was due under the common law of the realm and cited precedent in the collection of aid by Henry VII for his eldest son and his eldest daughter. He directed that the commissioners meet in "the public places of the county" and that juries of freeholders be returned. If any person refused to yield aid to the king, he was to be proceeded against by law. Not much resistance was expected, for Elizabeth was very popular with the English. She had pleased English hearts with her excellent riding, and she had charmed them in masques like Samuel Daniel's *Tethys' Festival*. Her prospective marriage was, moreover, of great political importance. She, with the aid of her father, had rejected the advances of Gustavus Adolphus of

²³*Ibid.*, 298, 13b.

²⁴*Ibid.*, 298, 10.

Sweden and King Philip of Spain. Her approaching marriage would unite England with the principal Protestant courts of Europe. The English did not, however, display their enthusiasm in granting aid, for only £22,000 was received.

Amid all the actual and prospective expenditures, the king had no income. On September 18, 1612, Bacon wrote to James "touching the repair and improvement of your Majesty's means," particularly with regard to the "conversion of your revenue of land into a multiplied present revenue of rent," in accordance with royal request.²⁵ Bacon says that the king could find cure in no one remedy, but in compounding a number of remedies. Bacon advises the king not to let necessities of the crown perturb his mind, and urges him against freeing his estate by hasty means which might derogate from the king's majesty.

The real problem, however, as Bacon points out in his letter, had been submitted to a commission of several members, of which Bacon was one. The report of the committee, with which Bacon probably had much influence, sets down present profits to the king and suggests possible increases in those profits.²⁶ Concealments, for instance, at the time were producing but £1,500 a year, which might be doubled. Defective titles were producing but £1,000 a year, which might be increased by £3,000 yearly.

Bacon drew up an independent report concerning the increase of the king's yearly revenue by converting his lands into a "yearly fee farm rent multiplied in proportion to that which he now receiveth."²⁷ He says that the land under consideration is at present producing £30,974, which, if trebled, would produce a total revenue of £92,922. He asserts that lands charged with estates of thirty years and less may be sold for fifty years' purchase, and lands charged with estates of periods from fifty to thirty years may be sold for thirty years' purchase; the mean of these would be forty years' purchase. He takes, for example, the manor of Dale, with an annual rental of £100. "This sold at forty years purchase will yield 4000 l. Now treble the rent of 100 l. which makes 300 l., that sold at 15 years' purchase yields 4500 l., whereupon it is manifest that in a 100 l. lands, there is 500 l. gain in the sale of the rents above the sale of the lands." Timber trees should be reserved, he says, and sold under a separate agreement. Bacon then sets forth the arguments against such fee-

²⁵Lambeth MSS., Gibson Papers, VIII, 9.

²⁶Cotton MSS., Cleopatra F. VI, 82.

²⁷*Ibid.*

farming and answers the objections. He closes his report by saying, "I am rather provident and diligent to make the best of the proposition than confident to persuade it."

In connection with the repair of the king's estate, an investigation was ordered of the farming of customs and wines by Lord Chancellor Ellesmere and the earl of Northampton, lord privy seal. To aid them, Serjeant Montagu and Bacon were appointed. The report, made in October 1612, was prepared by Bacon's hand.²⁸ It announces that investigation has discovered fraud in the farming of the customs, entitling the king to break the lease as well as to call for retribution. It says also that fraud, amounting to about £50,000, appears in the wine lease, and that the king may have relief in equity. A postscript by Northampton praises "the diligence and industry of your two faithful and painful servants, your Solicitor and Serjeant, whereby the great mass is now digested into that order that may seem to best use in your service."

Northampton had previously shown his appreciation of Bacon's efforts in this connection, for in a letter of October 20, he wrote to the king's favorite, Rochester, asking that the "diligence and industry" of Bacon be acknowledged, for "this *mysterium iniquitatis* was pursued extremely well by the Solicitor, that met with tricks upon the choice points of their obliquity."²⁹ Recognizing this contact, Bacon shortly after the death of Sir George Carey, master of the wards, wrote on November 13 to Viscount Rochester asking that he be considered for the newly vacated post in the event it should fall to a lawyer.³⁰ Bacon expected the place, for he "put most of his men into new cloaks." But he was again disappointed; the mastership was given to Sir Walter Cope. Dr. Rawley tells us in his *Commonplace Book*, "Sir Walter was Master of the Wards and Sir Francis Bacon of the Liveries."

The royal tree was blasted during the winter of 1612. Prince Henry, the eldest son of King James, died on November 6. Bacon, as a consequence, had to suppress the dedication to his new edition of the *Essays* published in 1612. The original dedication of the *Essays* to Prince Henry was particularly appropriate, for Henry had a practical wisdom of his own, saying at the time of the imprisonment of Sir Walter Raleigh that only such a man as his father would keep such a bird in such a cage. Fortunately, when Henry was a

²⁸*Calendar of State Papers*, Domestic Series, LXXI, 18.

²⁹*Ibid.*, LXXI, 16.

³⁰*Ibid.*, LXXI, 34.

child, his father declined the offer of Pope Clement VIII to provide James with sufficient money to obtain the English throne if he, in turn, would entrust the education of Henry to the pope. After he had attended Magdalen College, Oxford, Henry declined to marry either of the ladies proffered to him, secretly intending to go with his sister to Germany to select a wife to suit his own tastes. To a young man of spirit like Henry, whose court was so much more popular than that of his father that James said, "Will he bury me alive?" the *Essays* should have been dedicated.

The dedication admits that Bacon had divided his "life into the contemplative and active," and says that, in the *Essays*, he hopes to give to the king and the prince "the fruits of both, simple though they be."³¹ Here, as elsewhere in the dedication, Bacon shows a keen sense of self-criticism. He says the word *essay* is late—it comes from Montaigne—but "the thing is ancient. For Seneca's epistles to Lucilius, if one mark them well, are but *Essays*, that is, dispersed meditations, though conveyed in the form of epistles." The guide to the *Essays* is found in Bacon's own statement, "But my hope is, they may be as grains of salt, that will rather give you an appetite than offend you with satiety."

The eulogy intended for Henry in the dedication to the 1612 edition of the *Essays* was turned into an elegy, *In Henricum Principem Walliae Elogium Francisci Baconi*.

³¹Harleian MSS. 5106.

CHAPTER XIV

Public Servant

THE old year closed with a death in the royal family; the new year began with a marriage. Princess Elizabeth was married on February 14, 1612-1613, with the celebration which usually attends royal weddings. Bacon paid tribute to the crown by having his colleagues at Gray's Inn join with the Inner Temple in producing a masque composed by Francis Beaumont. When the king was too tired to see the masque, originally intended for presentation on February 16, Bacon turned the words which James had used of Prince Henry upon the king and urged him not to "bury them quick," but the king replied, "they must bury him quick, for he could last no longer." On February 20, however, the masque was presented with great success. The dedication to Bacon and to the bench of Gray's Inn and the Inner Temple indicates the repute in which Bacon was held at this time: ". . . and you, Sir Francis Bacon, especially, as you did then by your countenance and loving affections advance it, so let your good word grace it and defend it, which is able to add value to the greatest and least matters." The king was so well pleased that he invited forty of the masquers to supper in the new marriage-room. But these were but "toys" to the king's counsel.

It will be recalled that when one of Prince Henry's followers, a subordinate employee of the navy, was accused of malfeasance of office and was acquitted, Henry said that his accusers should be hanged. In 1612, the crown attempted to reform abuses in the naval service. Sir Robert Mansell, treasurer of the navy, however, resisted investigation by the royal commissioners. James Whitelocke, an attorney, and Sir Robert Mansell were arraigned before the Council. An Act of Council, dated June 12, 1613, drawn up, it would appear from internal evidence, by Bacon, formally accuses them of contempt

of the commission and of challenging the royal prerogative. Mansell and Whitelocke, however, requested the Council to act as their intercessors with the king after they had made their submission. Bacon concluded the prosecution of Whitelocke; a part, at least, of the charge he planned to make is extant.¹ With the usual fairness, Bacon says of Whitelocke, ". . . for his loyalty and true heart to the King, God forbid I should doubt it."

The extreme necessity of the king made Bacon muse upon the calling together of the members of parliament. The results of his meditation may be found in two papers. Bacon concludes that the king should call the parliament, which had the power to supply urgent needs.

Like "Elihu, who though he was the inferior amongst Job's counsellors, yet saith of himself that he was like a vessel of new wine, that could not but burst forth in uttering his opinion," Bacon opens his letter to the king setting forth the result of his deliberation. He enumerates the good and evil results of calling a parliament. Alluding to Salisbury, with unforgivably bad taste he says, "I cannot excuse him that is gone of an artificial animating of the Negative; which infusion or influence now ceasing I have better hope." Wisely he urges the king to "put off the person of a merchant and contractor, and rest upon the person of a king," as well as to "part with your Parliament with love and reverence." The essence of his advice lies in the suggestion that parliament be not convened merely for the purpose of appropriating money for the support of the king, but that parliament, once convened for some other purpose, be requested to grant supply.² The king, of course, had other advisers, like Sir Henry Neville, who in effect told the king to please the people and hear their complaints and that the parliament would take care of his needs.

Meanwhile, a storm had arisen in the Irish parliament. With Catholicism in the ascendancy in Ireland, it was difficult to maintain a Protestant majority friendly to the English parliament. In order to do so, James created new boroughs. In the election of the speaker, there was dissent, whereupon the minority seceded. In July of 1613, the king and his Council heard the complaints of the minority, and commissioners were appointed to investigate the matter in Ireland. On August 13, Bacon, who had been at his home in Gorhambury while the instructions to the commissioners were being prepared,

¹Lambeth MSS., Gibson Papers, VIII, 249.

²Spedding, *L.L.*, IV, 368-373.

wrote to the king immediately after hearing them read. Because the king, he says, had graciously accepted his "poor service in this business of Ireland," he presumed to give further advice. For James to inquire so particularly into these matters would be "*inferius Majestate*, for they are set down like interrogatories in a suit in law. The commission meant for satisfaction will end in murmur." As a result of the investigation, error was found in the election of some of the burgesses, who were excluded, and calm came again to the Irish parliament.³

The loyalty to the English cause of some of the members of the party sent to Ireland being questioned, Bacon and the attorney-general, Henry Hobart, were requested to express an opinion as to whether the oath of allegiance might be required of the deputation. On October 12, 1613, Hobart and Bacon said that, in their opinion, the oath could not be administered to English subjects in Ireland. They said, however, that the oath might be required of any Irishmen in England. The matter of policy in the administration of the oath they left to the king's discretion.

When, on August 7, 1613, Sir Thomas Fleming, chief justice of the King's Bench, died, Bacon saw opportunity for further advancement for himself as well as for disposing of those immediately above him to his advantage and to the advantage of the crown. The attorney-generalship having been promised to him upon the removal of the incumbent, Bacon felt certain of that office. His unbounded ambition, however, made him keep at least one eye on the chief justiceship now vacant. He, therefore, wrote to the king expressing "an assured hope" that James would think of none except "your poor servants, your attorney and your solicitor, (one of them), for that place."⁴ He notes that he has served in "one of the painfulest places" more than seven years and that he is fifty-two, "which I think is older than ever any solicitor continued unpreferred." He then, as if relenting, asks that the chief justiceship be granted to Hobart, but adds that, if he should refuse, he hopes the king "will seek no furdur than myself."

It later occurred to Bacon that Hobart might be transferred to the chief justiceship of the common pleas, held by Coke, and that Coke might be given the chief justiceship of the king's bench, a less lucrative position but one higher in honor, where he would conflict less with the crown. The attorney-generalship would then be left open

³*Ibid.*, 386-387.

⁴Lambeth MSS., Gibson Papers, VIII, 276.

to Bacon. Accordingly, he wrote another letter to the king urging James to make promotions on this basis.⁵ He says that Coke, in his new place, "will think himself near a privy counsellor's place, and thereupon turn obsequious"; that the attorney-general "sorteth not so well with his present place, being a man timid and scrupulous both in parliament and in other business, and one that in a word was made fit for the late Lord Treasurer's bent." Bacon, the solicitor, however—and Bacon was not averse to slipping in a little praise of himself—goes "more roundly to work, and being of a quicker and more earnest temper, and more effectual in that he dealeth in, is like to recover that strength to the King's prerogative which it hath had in times past." Bacon seems truly honest when he says that his principal interest lies in the king's cause. It was not a vengeful spirit which made him add that the removal of Coke to an office of smaller income "will be thought abroad a kind of discipline to him for opposing himself in the King's causes, the example whereof will contain others in more awe." The post which Coke assumed seems, however, to have been half as lucrative again as the post which he relinquished.

But it is difficult to fortify a weak king. Bacon was very astute in suggesting that James merely lead Coke to believe that he was close to a privy councillorship. The tears which Coke shed when he left the common pleas raised such a mist over James that he made Coke a privy councillor on November 7, 1613. On the preceding twenty-seventh of October, Hobart was appointed to the chief justiceship of the common pleas, Bacon to the attorney-generalship, and Sir Henry Yelverton to the solicitorship. Chamberlain wrote, "there is strong apprehension that little goode is to be expected by this chaunge, and that Bacon may prove a daungerous instrument."

In spite of the fact that Coke had been a thorn in Bacon's flesh both professionally and personally—that he had prevented Bacon's rise and that he had married the woman to whom Bacon had proffered his hand—Bacon seems to have tried to be fair to Coke. But Coke was not amenable to fairness. His sense of sportsmanship—living in books as he did, and being content merely to quote other men or to reword their thoughts, as he did Lyttleton in his *Institutes*—was not highly developed. As a prosecutor, his sense of justice and good taste deserted him. It was he who addressed Raleigh as "a spider of hell," and added, ". . . there never lived a viler viper upon the face of the earth than thou." So antagonistic he seemed to be to the prerogative

⁵*Ibid.*, 257.

that Charles I, in 1631 before Coke's death, commanded that his papers be attached upon his death. Yet of his reports, Bacon said, ". . . they contain infinite good decisions," and, without them, "the law by this time had been like a ship without ballast." When Coke and Bacon met, Coke said, "Mr. Attorney! this is all your doing; it is you that have made this great stir." Bacon replied, "Ah, my lord, your lordship all this while hath grown in breadth; you must needs grow in height, else you will prove a monster."⁶ To the king Bacon wrote, "A full heart is like a full pen; it can hardly make any distinguished work. . . I humbly pray your Majesty to accept my most humble thanks and vows as the forerunners of honest services which I shall always perform with a faithful heart."⁷

But office is not obtained without patronage. Bacon's patron in obtaining the attorney-generalship was Robert Carr, earl of Somerset, to whom he had appealed in 1612 for the mastership of the wards. As a mark of appreciation of the efforts of the king's favorite, Bacon at the time of Somerset's marriage to Lady Frances Howard, the divorced wife of Robert Devereux, earl of Essex and son of Bacon's former friend, planned a masque in honor of the wedding. From an undated letter written by Bacon, apparently to Somerset, it is evident that the four inns of court originally planned a masque, upon the failure of which Bacon says, "a dozen gentlemen of Gray's Inn . . . will be ready to furnish a masque."⁸ The cost of production of *The Masque of Flowers*, more than £2,000, was borne entirely by Bacon. "Marry," says Chamberlain on December 23, 1613, "his obligations are such, as well to his Majesty as to the great Lord, and to the whole House of Howards, as he can admit no partners."⁹

The earl of Essex became irate because Henry Howard had spoken evil of him, and he challenged Howard to a duel. But this was only one instance of the common practice of duelling during the reign of James. To prevent the practice of duelling, James asked advice of his legal counsel. Bacon advised¹⁰ the king not to take cognizance of past offenses, and suggested that he issue a proclamation of prohibition. He suggested that the prohibition make illegal any combat though there might be no resultant death; any attempt, even overseas, to engage in combat; any offer or acceptance or delivery of

⁶Bacon, *Apothegms*.

⁷Spedding, *L.L.*, IV, 391.

⁸Lansdowne, MSS. 107, 8.

⁹Green, *The Inns of Court*, 109-112.

¹⁰Dalrymple, *Memorials and Letters*, 51.

challenge; any appointment of a field of combat; and any acceptance of an offer to act as a second.

Bacon saw that an example might be made in a case then in the hands of Sir Henry Hobart—not one, unfortunately, in which the nobility was involved, but one in which two meaner persons, Priest and Wright, were concerned. It was a test case, nevertheless. A challenge had been sent by William Priest, through Richard Wright, to one Hutchest, who had declined. Bacon took the matter before the Star Chamber in January 1613-1614. In his charge, he says, by way of introduction, that he intends to proceed without respect to persons or rank, and that one would think that persons of high birth would abandon duelling when it is taken up by persons of low rank. Duelling “troubleth peace, it disfurnisheth war, it bringeth calamity upon private men, peril upon the State, and contempt upon the law.” It is but “a kind of satanical illusion and apparition of honour; against religion, against law, against moral virtue, and against the precedents and examples of the best times and valiantest nations. . .” He expresses the hope that when the court censures persons of high rank for this offense, the king will banish them from the court. The Star Chamber, he says, has jurisdiction to punish as a high misdemeanor any practice tending to an offense which in itself is capital or felonious. Bacon then announces his intention of prosecuting for the appointment of a field for combat, although the combat be not engaged in; the delivery of a challenge; the acceptance or returning of a challenge; the agreement to act as second; the leaving of the realm with intention to combat overseas; and the revival of a quarrel by any “scandalous bruits or writings.” The decree of the Star Chamber, penned by Bacon, orders that Priest pay a fine of one hundred pounds and that Wright pay a fine of five hundred marks, and that both be committed to the Fleet until the next assizes in Surrey, when both should publicly acknowledge their guilt and show themselves penitent. It was ordered also that the decree be read in every shire in the country and posted in a public place, and that the laws covering duelling be printed.¹¹

The position of attorney-general gave Bacon additional opportunity to advise the king. Anticipating a new session of parliament, Bacon wrote to the king, probably in January 1613-1614, shortly after the birth of a child to Elizabeth, wife of the Count Palatine, advising James, “If your M. be resolved not to buy and sell this

¹¹Spedding, *L.L.*, 395-416.

Parliament, but to perform the part of a King, and not of a merchant or contractor," how to direct those men in the parliament who professed to be of service to the king. He urged James also not to permit the convening of a parliament in England and a parliament in Ireland at the same time, saying that "loving and frank proceeding with you by your Parliament of England will daunt the ill affected part of the Parliament of Ireland." Together with other members of the learned counsel, Bacon, on February 17, 1613-1614, requested more time for deliberation upon propositions for parliament.¹² In addition, he drafted a memorial of matters to be developed in the king's opening address to parliament. The birth of a grandson to James was to be used as occasion for convening both houses, and request was to be made for naturalization of offspring of Elizabeth and the Count Palatine. Again Bacon urged James to predicate any request for support upon affection rather than necessity. Bacon also listed bills to be offered to parliament, including the creation of a commission to review the state of the penal laws with a view to expunging those which proved to be obsolete and clarifying and consolidating the others.¹³

Bacon's insistence upon the production of satisfactory evidence in criminal cases appears in his letter¹⁴ dated January 22, 1613-1614, in the case of John Cotton, tried for high treason for the publication of *Balaam's Ass*. He reports that there are "no convicting proofs that may satisfy a jury of life and death." Bacon's desire to moderate punishment in criminal cases appears in his charge against William Talbot in the Star Chamber during the same month.¹⁵ He declares his belief that the Lords will extenuate the fault of Talbot if he will make submission. Talbot, a leader in the Irish parliament, was accused of adhering to the doctrines of the Portuguese Zuarez concerning the attitude of loyal Catholics to heretical kings.

Bacon was elected to the parliament of 1614 to represent St. Alban's, Ipswich, and Cambridge University. On April 5, he chose to serve for the University. Three days later, however, the question arose as to whether the attorney-general had the legal right to sit in the House of Commons. It was a tribute to Bacon that he was allowed to remain, particularly in view of the fact that it was decided at the same time that no future attorney-general might sit.

The question of supply being the most important matter before

¹²*Calendar of State Papers*, Domestic Series, LXXVI, 26.

¹³Harleian MSS. 6258.

¹⁴National Library of Scotland MS. 33.1.7, II, 3.

¹⁵Harleian MSS. 6797.

the House, Bacon immediately made a speech in favor of it. In order the better to place the house in the proper mood for granting supply, Bacon introduced four bills of grace, including the bill for revising and codifying penal laws. Charges were made, however, that the Commons had been stuffed with undertakers, or those who attempted to direct legislation in behalf of the king. Upon the appointment of a committee to investigate the matter, Bacon, ironically being appointed a member of that committee, delivered an address. He said frankly that, in his opinion, any one who had advised the king to call a parliament should be rather praised than condemned. He thus recognized that he was suspect and effectively vindicated himself, adding, at the end of his address, that "it had been more safe and politic to have been silent; but it is perhaps more honest and loving to speak." The matter of undertaking was dropped when Sir Henry Neville confessed to his share therein.

The smaller ill led to a larger, that of unlawful interference in elections. When accusation was made against the chancellor of the duchy, Sir Thomas Parry, Bacon made a speech appealing to the moderation and generosity of the Commons and recalling the long service of Parry. His suggestion that the house speak sharply but conclude mercifully was not followed, for Parry was removed.

Bacon's presence in the house was further justified by his appointment to introduce the matter of impositions in a conference with the Lords. On May 16, 1614, he advised a conference between the subcommittees. The Lords, however, declined an invitation to confer. The king, meanwhile, requested action upon other matters; this request was followed by demand for punishment of the member who had informed the king of the proceedings of the house. When word came to the Commons that the House of Lords had been persuaded by Dr. Neile, the bishop of Lincoln, not to confer with the House of Commons because the Commons might use seditious language not fit for the Lords to hear, demand was made that the Lords punish the bishop in a manner acceptable to the Commons, mere tearful retraction by the bishop not being acceptable. A select committee, of which Bacon was a member, was appointed to consider the matter before other business was undertaken. After one more unsuccessful demand by King James for action, the parliament was dissolved.

The king's hotheaded action left him without supply. To aid the king financially, the bishops at their convocation agreed that each should send to the king his best piece of plate or, in lieu thereof, money. This vicious practice of privately supplying the king was

extended to the lower clergy and to the nobles and justices. Seeing that the practice was about to be applied to the various shires, Bacon advised that the expression "*Gift, Present, Offering, Oblation*, or the like" be used and that *benevolence* and *contribution* be avoided; that no royal letters be issued concerning the offering; that no formal appointment of collectors be made; and that a proclamation of thanks be published.

As was to be expected, objection arose to voluntary offering to the king. Oliver St. John, a gentleman of good family of Marlborough, declared in a letter that such benevolence is "against Law, Reason, and Religion" and expressed the hope that the king would not "haply of ignorance or (as I hope) out of forgetfulness and unheediness, commit so great a sin against his God as is the violating of his great and solemn oath taken at his Coronation, for the maintaining of the laws, liberties, and customs of this noble realm."¹⁶ Bacon delivered the charge in April 1615 in the Star Chamber. St. John was sentenced to life imprisonment and was ordered to pay a fine of £5,000. Upon his submission, St. John was released and his fine was remitted in October 1618.

Bacon was vigilant also in another treasonable case, that of a Puritan preacher, Edmund Peacham, in whose possession was found a sermon visioning judgment in the form of sudden death of the king and an uprising of the people. A warrant was issued to two members of the privy council, and to the learned counsel, of which Bacon was a member, to examine Peacham and to use manacles, if necessary, to elicit a full confession. On January 19, 1614, the examining committee reported that no confession could be elicited. This being a case in which James was particularly interested, Bacon had an extended correspondence with the king relative to it. James then commissioned Bacon to request the opinions of the judges of the king's bench severally concerning the case. Although Coke at first resisted giving such opinion, he finally yielded, declaring that no words are treasonable unless they disable the king's title. The other judges were, in general, of the opinion that Peacham was guilty. He was tried in Somersetshire in August 1615 and was convicted of high treason. He died in the jail at Taunton seven months later.

In a similar case, that of John Owen, charged at the king's bench of declaring it lawful to slay an excommunicated king, Bacon delivered the charge.¹⁷ In this case, Coke gave an independent opinion

¹⁶*Calendar of State Papers, Domestic Series, LXXVIII, 23.*

¹⁷Lambeth MSS., Gibson Papers, VIII, 14 and 15.

without objection. Owen, after three years of imprisonment, was pardoned on the condition that he leave England.

Except for a speech in the Star Chamber relative to a case of deer-stealing¹⁸ and a memorial on the review of penal laws and the amendment of the common law,¹⁹ these cases constitute Bacon's major efforts in the protection of the crown through proper administration and revision of the law.

During the late summer of 1615, Bacon examined and revised the patent issued to the New Company of Merchant Adventurers and recommended, in a letter to the king dated August 12, 1615, demand for profit from the new company.²⁰ The Merchant Adventurers had, prior to November 2, 1614, exported undyed and undressed cloth. Upon complaint of the clothiers, however, exportation of such cloth was prohibited after that date. The condition of the clothiers becoming even more acute, they then requested revocation of the proclamation prohibiting the exportation of undyed and undressed cloth. Because the effect of the grant of the new patent could not be predetermined, Bacon included the power of revocation. Again on February 3, 1615-1616, Bacon wrote²¹ to the king concerning the new company. Bacon says that if the company should break, such failure might be attributed to two causes: first, because of the patent, or, second, because of orders made by the company. As for the patent, Bacon says that it was identical with the patent of the old company except for portions framed as the result of special warrant. Bacon adds that even Lord Coke acknowledged such, but says that Coke professed to dislike the old patent itself and disclaimed presence when the additions were allowed. Bacon shows clearly that he has penetrated Coke's nature when he says, "But in my opinion (howsoever my Lord Coke, to magnify his science of law, draweth every thing, though sometimes improperly and unseasonably, to that kind of question) it is not convenient to break the business upon those points." In any event, Bacon says, the company was not freed from its contract. As the new contract increased the revenue of the crown, it seemed desirable to continue it. With a breach by the new company, Bacon advised the king of three ways in which to deal with the situation. First, he could restore the old company and fuse the two licenses into one; second, permit dyed and dressed cloth to pay no custom, the whites to pay double custom, a

¹⁸Harleian MSS. 1576.

¹⁹Cotton MSS., Titus F. IV, 9.

²⁰Lambeth MSS., Gibson Papers, VIII, 20.

²¹*Ibid.*, 23.

method which he considered dangerous; and, third, combine the two other methods, by permitting a restoration of the old company to trade in whites, revenue to be paid by the company, but that additional privilege be given to the same company to export custom-free dyed and dressed cloths.

As Bacon had predicted, the Dutch built looms for themselves and discontinued, to a large extent, the importation of English cloth. To afford temporary relief, Bacon recommended to the king on September 13, 1616, the issuance of a proclamation forbidding "the wearing of any stuff made wholly of silk, without mixture of wool, for the space of six months."²² The farmers of customs having remonstrated against the suggested proclamation as injurious to them, Bacon recommended on January 23, 1616-1617, that a compromise be suggested by the chancellor in open court without revealing the fact that the king had requested the dismissal of their suit.

But Bacon was not content with mere temporary relief. On October 14, 1616, realizing that the new company of Merchant Adventurers had failed, he wrote to Villiers suggesting that the patent of the old company be renewed. We last hear of the Merchant Adventurers in 1619, at the trial of the earl of Suffolk, in which they are said to have paid £3,000 "to suffer their renewed charter to pass."

Bacon's high ideal concerning his professional duty is well set forth in a letter dated September 20, 1615, to Francis Lord Norris, who had appealed to Bacon for aid in clearing himself of the charge of manslaughter of a servant of Lord Willoughby.²³ He wrote to Lord Norris, "For that which may concern my place, which governeth me and not I it, . . . saving my duties, which I will never live to violate, your Lordship shall find that I will observe those degrees and limitations of proceeding which belongeth to him that knoweth well he serveth a clement and merciful master, and that in his own nature shall ever incline to the more benign part. . ."

The failure of the last parliament induced Bacon to advise James to call a new one, but to follow a plan contrary to that followed in the last, avoiding particularly the error of stating that parliament was called for the purpose of paying the king's debts and supplying his wants. He recommends that the parliament consider particularly increase of trade, defense, and strength of the realm. To supply the king's immediate needs, he recommends the sale of some of the king's property and the creation of approximately eight barons. Another

²²*Ibid.*, 47.

²³Spedding, *L.L.*, V, 173.

matter arose of more immediate concern to James than the granting of supply, and it became necessary to postpone the calling of another parliament, without whose services James had, in effect, ruled since 1610.

Rumor came to the court that Sir Thomas Overbury had been murdered. Overbury had supposedly died a natural death on September 15, 1613, in the Tower of London. Two years later, on September 10, 1615, Sir Gervase Hellwysse, lieutenant of the Tower, deposed that he had learned that Overbury had been murdered. The possibility of the murder of Overbury shocked both literary and political England. Overbury had achieved distinction as the author of "A Wife," addressed to the countess of Rutland, daughter of Sir Philip Sidney, as well as of *Characters*, in which, following the mode established by Theophrastus and others, he had shown keen penetration of human nature. He had become prominent politically because of his former friendship with Robert Carr, Viscount Rochester, who was created earl of Somerset after the death of Overbury. When Carr came to England in 1603, as page to King James, Overbury renewed an acquaintance begun in Scotland in 1601. Overbury, believing Rochester's attentions to Frances Howard, countess of Essex and daughter of the earl of Suffolk and great-niece of the earl of Northampton, to be merely an amour, conducted correspondence with her on behalf of Rochester. When, however, Overbury learned that Rochester intended to marry the countess of Essex after she obtained a divorce, Overbury withdrew his services. King James, jealous of the friendship between Rochester, his favorite, and Overbury, imprisoned Overbury. Rochester had, meanwhile, been sympathetic with the Northampton faction and the Spanish party and had attempted an alliance with Spain, using to his own advantage the offices of correspondent to the king, lord chamberlain, and acting lord keeper of the privy seal. Lord Chancellor Ellesmere and others, perceiving the antagonism of Rochester to the king, attempted to advance as a favorite George Villiers, who was made cupbearer late in 1614 and gentleman of the royal bedchamber in early 1615, when he was also knighted. On October 13, 1615, a commission headed by Coke was created to investigate the matter. Because of suspicious actions of Somerset, he was confined.

Before Richard Weston, the keeper of Overbury in the Tower, had been formally accused of murder, Coke made the mistake of having the confessions of Weston read openly, as well as the testimony of Somerset and the countess of Somerset and Mrs. Turner, the last of

whom maintained a house of ill fame and who was suspected of administering poison to Overbury. Thomas Lumsden, resenting the action of Coke, wrote a libelous letter to the king condemning the malfeasance of Coke. Weston, who was tried and condemned to death, was asked, immediately before his execution, by Sir John Wentworth and Sir John Hollis whether he was guilty of murder. Such action was considered an attack upon the legal system, Weston having been by due process of law found guilty.

Bacon's connection with the Overbury case at this juncture is his charge against these three men in the Star Chamber of November 10, 1615.²⁴ The charge must have been difficult for Bacon, for he describes the accused as gentlemen "whose qualities and persons I respect and love; for they are all my particular friends." Yet, once more he was courageous enough not to permit friendship to project itself into his duty. Overbury, too, was an acquaintance of Bacon, who says, "I knew the gentleman. It is true, his mind was great, but it moved not in any great good order; yet certainly it did commonly fly at good things. And the greatest fault that ever I heard by him was, that he made his friend his idol. But I leave him as Sir Thomas Overbury." Bacon favored justice, the "master virtue," in this as in all other cases. Apothegmatically, as in the essays, Bacon says, "Wisdom serveth to discover, and discern of innocency and guiltiness. Fortitude to prosecute and execute. And temperance, so to carry justice as it be not passionate in the pursuit, nor confused in involving persons, nor precipitate in time." Bacon's generosity in dealing with his antagonist Coke appears in his statement in the charge, "... never man's person and his place were better met in a business, than my Lord Chief Justice and my Lord Coke in the cause of Overbury."

In a letter of January 22, 1615-1616, to Sir George Villiers, Bacon mentions sitting "upon the commission for the indicting of Somerset."²⁵ Both Somerset and the countess had been indicted on January 19 as accessories before the fact. At this time, Weston, Mrs. Turner, Helwysse, and James Franklin, the druggist who had supplied the poison, had been found guilty and hanged. On the same day, January 22, 1615-1616, after Coke had on hearing admitted into evidence inadmissible material, Bacon wrote to King James requesting that he require the lord chancellor and Coke to "confer with myself, and my fellows, that shall be used, for his marshalling and bounding

²⁴*Calendar of State Papers, Domestic Series, LXXXIII, 15.*

²⁵Lambeth MSS., Gibson Papers, VIII, 22.

of the evidence, that we may have the help of his opinion, as well as that of my Lord Chief Justice; whose great travels as I much commend, yet that same *plerophoria*, or over-confidence, doth always subject things to a great deal of chance."²⁶

During the early part of 1616, Bacon wrote several letters to Villiers and to the king regarding the examination of witnesses in the Somerset arraignment. One of the most significant is that to the king dated April 28, 1616, in which Bacon, at the suggestion of the king, sets forth the possibilities and contingencies in the case and makes recommendations as to action in the event of those contingencies in order that there might be no surprise on the part of the prosecution.²⁷ In this letter, Bacon suggests the possibility of differentiation of this case from that of the commoners, none of whom confessed. Upon this letter the king made marginal notations. At the same time he seems to have suggested to Bacon that Somerset be advised it would be better for him to confess, for Bacon, on May 2, 1616, wrote, "That same little charm which may be secretly infused into Somerset's ear some few hours before his trial, was excellently well thought of by his Majesty; and I do approve it both for matter and time. . ."²⁸

As was usual, the judges were asked for their opinion as to the advisability of prosecuting the case. Bacon realized, of course, that the king was embarrassed by the prosecution of his former favorite, and that James wished to seem neither ruthless nor too much inclined to clemency. In order, therefore, that the sergeants and others connected with the prosecution of the case might be apprised of the proper manner of handling the evidence, Bacon suggested in his letter dated May 5, 1616,²⁹ that James request by letter "that the matter itself being tragical enough, bitterness and insulting be forborne, and that we remember our part to be to make him delinquent to the Peers, and not odious to the people." Bacon submitted with this letter his plan of procedure at trial, which was returned with the king's marginalia.

Shortly before May 24, 1616, when the countess was tried, Somerset not only declined to confess, but threatened to reveal information which it behooved the king to keep secret. James, though agitated by the threat, was not deterred from his purpose. Bacon considered the advisability of silencing Somerset in the event of an outburst,

²⁶Additional MSS. 5503, 80.

²⁷University Library, Cambridge University, MS. Dd. 3.63.

²⁸Additional MSS. 5503, 83b.

²⁹*Ibid.*, 82.

and of threatening him with removal and the hearing of evidence during his absence.

The countess of Somerset was tried in Westminster Hall. Spectators paid as much as ten pounds for two places to hear the trial. Bacon's charge is a specimen of excellent legal oratory arranged in climactic order.³⁰ With sympathy and even chivalry, Bacon points out that the countess had pleaded guilty and says, "I know your Lordships cannot behold her without compassion." He thereupon requested judgment. The countess asked mercy in such a low tone that Bacon had to repeat the request. The judgment was death by hanging. The countess of Somerset was returned to the Tower of London.

On the next day, May 25, Somerset was tried after entering a plea of not guilty. Bacon's charge in this case is more elaborate than in that of the countess.³¹ Starting with the first murderer, Cain, and continuing to trace the history of murder, he eventually asserts his intention of showing that Somerset had the necessary malice aforethought; that his acts conduced to the poisoning; that he delivered poison and was interested in the success thereof; and that, after the death of Overbury, he suppressed testimony. The charge was followed by the submission of evidence, which developed the fact that Somerset had procured Sir Robert Cotton to antedate and otherwise alter incriminating correspondence. In his reply, Somerset brought no charge against King James. His reply was confused and immaterial in many of its particulars, although during the trial he had been allowed writing materials and had been granted time to make an adequate defense. Somerset was convicted unanimously.

The case of Sir Thomas Monson, accused by Coke as an accessory before the fact in the Overbury case, was not disposed of until 1617. Monson had acted for Northampton and Somerset in placing their men in charge of Overbury when he was in the Tower. When King James learned that Coke was proceeding against Monson, he requested the evidence. Finding it insufficient, he directed a postponement of the trial. Coke had, however, proceeded to arraign Monson on December 4, 1615, before receipt of the king's command. When he did receive it, he informed the audience that the interruption had no bearing upon the guilt of Monson, whose declarations of innocence revealed him "to be indeed a very atheist." Monson was, in October 1616, released for a year from the Tower of London, in which he

³⁰*Baconiana*, 3.

³¹*Ibid.*, 14.

had been imprisoned, and petitioned for permanent freedom. Bacon and Yelverton, the attorney-general and the solicitor general, recommended a pardon "as upon doubtful evidence" and suggested that Monson plead his innocence in public.³² Bacon having prepared the pardon, Monson publicly asserted his innocence on February 12, 1616-1617, and accepted the pardon with a statement by the chief justice of the king's bench, Sir H. Montagu, that it was "a declaration of your innocence."

Bacon had conducted himself with fairness and distinction in the trials of Lord and Lady Somerset. The case was not yet, however, finally disposed of, for, as attorney-general, he was requested by the king to draft a warrant for pardon of the countess of Somerset. Whatever Bacon's personal feeling may have been, he had no alternative, but was required to perform the command of the king. This duty, however, appears not to have been distasteful to Bacon personally nor inimical to his judicial theory. With offenders who confessed their faults, Bacon seems to have been consistently lenient; with recalcitrants who persisted in their innocence when obviously guilty, he seems to have been unrelenting. His charge against the countess points out that the king's white robe has not yet been "sprinkled with any one drop of the blood of any of his nobles of this kingdom." On July 1, 1616, Bacon sent a revised warrant to Villiers for the king's approval, accompanied by a letter to the king saying that the warrant set forth the following motives for the pardon: respect for her family and friends; her voluntary confession; the promise made by the peers for intercession for the king's mercy; and her subordinate role, that of accessory before the fact and not principal, in the murder of Overbury. The countess, although rescued from the death penalty, was not relieved of imprisonment. In January 1621-1622, after Somerset had been pardoned, both were released from the Tower.

During the trial of the Overbury murderers, several other cases were brought to Bacon's attention as those in which the king had an interest. In one case, John Murray, groom of the king's bedchamber, had granted to John Michell the sole privilege of making writs of *supersedeas quia improvide emanavit* in the Common Pleas. Brownlow, the prothonotary, finding his fees diverted, entered suit, thus questioning the validity of the patent. Bacon, supported by precedent, believed the case should be tried constructively before the king in chancery, and brought a writ *de non procedendo ad assisam*

³²*Calendar of State Papers, Domestic Series, LXXXIX, 65.*

Rege inconsulto to prevent a king's bench proceeding. A hearing appointed for November 20, 1615, was deferred because of the Overbury trial. On November 17, Bacon wrote to the king suggesting that James request Coke to have a hearing of the case at Coke's leisure.³³ On January 25, 1615-1616, Bacon presented his arguments in the king's bench in behalf of the writ. The judges, showing some inclination to proceed with the hearing of the case, were admonished that "*obedience is better than sacrifice*. . . I pray, as the king commands, that the proceedings in this assise be stayed, and that the plaintiff be ordered to sue to the king, if he will." The argument redounded to Bacon's credit. In a letter to the king dated January 27, 1615-1616, he says, "I lost not one auditor that was present in the beginning, but staid till the later end. . . My Lord Cook was pleased to say, that it was a famous argument. . ."³⁴ The case was compromised, and the king's prerogative was thereby weakened.

A more serious case involving the king's prerogative grew out of a grant by James to one of his bishops *in commendam*. The validity of the grant being questioned, followed by suit against the bishop, the king detailed the bishop of Winchester, a member of the privy council, to attend a hearing in the exchequer chamber and to report to him. Upon receipt of a report that the questions seemed to involve a diminution of the prerogative, James directed Bacon to advise the judges to defer the case until the king had conferred with them. The judges, believing such action would be a violation of their oaths, proceeded to argument, of which fact Bacon advised the king in a memorial the date of which is about June 1, 1616. He maintained, also, that the judges had violated their oaths in not counseling the king as required by their oaths. On June 6, the judges were heard at Whitehall. The king opened the assembly. Eleven of the offending judges submitted to the king, but Coke evaded the issue. On June 12 Bacon sent to James a draft of the act of council setting forth the details of the case, in which the council unanimously agreed that the judges were guilty of misconduct in denying the king's request.

The matter of the jurisdiction of the various courts brought Coke, intoxicated by the power of his position, into conflict with the chancellor also. The king's bench had given an award to a fraudulent creditor, whereupon the injured man took the case into chancery after vainly appealing to the king's bench for a reversal of the judg-

³³*Calendar of State Papers, Domestic Series, LXXXIII, 44.*

³⁴Additional MSS. 5503, 81b.

ment it had decreed. When chancery committed the false creditor to prison upon non-execution of an award against him, the case once more came before the king's bench on a writ of *habeas corpus*. Coke, over-zealous of the authority of his court, approved indictments of *praemunire facias* against those persons connected with the chancery proceedings. Although the grand jury found no true bill, there was, none the less, a breach between the king's bench and the chancery. Bacon, as attorney-general and one who "ought to stand indifferent for jurisdictions of all courts,"³⁵ directed a number of letters to the king, including a very important one³⁶ dated February 21, 1615-1616, in which he sets forth precedents for appeal to chancery from judgments at common law. He recommended that Coke be not disgraced, but that the whole body of magistrates "be contained in better awe. . ." In the memorial on the *commendam* he touched also the *praemunire* indictment. To settle the question, the king, at Bacon's suggestion, declared from the Star Chamber the duties of judges and specifically enjoined them to remain "within your own benches, not to invade other jurisdictions. . ." He declared also the independence of chancery and forbade the use of the *praemunire* against chancery. On July 18, 1616, he issued a decree to the same effect, declaring himself to be "Judge over all our Judges."

Coke's day in court was nearly over. He had been a diligent servant, but his aggression had been directed even against the king. Coke was ordered to appear before the council to answer charges prepared by the learned counsel. King James, not satisfied with the responses, suspended Coke from office and, on June 30, 1616, with the bitterest irony, directed him, during his suspension, to review and correct his reports.

During this period Bacon again realized that the public interest was closely allied to his private interest. King James had almost continuously assigned to him advisory duties beyond his position. Although Bacon can not be acquitted of the charge of regard of self, as can few in politics, he none the less possessed the temper of the statesman in his desire to advance the interests of the state through himself. It was not unhuman, therefore, for Bacon to offer himself as the logical successor to the lord chancellor, then critically ill. With fine subtlety he composed a letter to the king on February 9, 1615-1616, saying, "But your Majesty's service must not be mortal."³⁷

³⁵Lambeth MSS., Gibson Papers, VIII, 25.

³⁶*Ibid.*, VIII, 28.

³⁷Additional MSS. 5503, 67.

And if you leese him, as your Majesty hath now of late purchased many hearts by depressing the wicked, so God doth minister unto you a counterpart to do the like by raising the honest." This letter he withheld, but he sent another saying that he would visit the chancellor and report to James in order "that your M.'s service may be as little passive as can be by this accident."³⁸ On February 12, Bacon wrote another letter to the king frankly requesting the office when it fell vacant. Bacon has been harshly condemned for this letter, in which he says:

I shall now again make oblation to your Majesty, first of my heart, then of my service, thirdly of my place of attorney, which I think is honestly worth 6000*l. per annum*, and fourthly of my place of the Star-Chamber, which is worth 1600*l. per annum*; and with the favor and countenance of a Chancellor much more.

It is obvious, however, that Bacon was not offering to purchase the chancellorship. He was merely indicating that he would relinquish remunerative positions, the revisionary interest to which he would not sell, to accept the chancellorship. To make his candidacy the stronger, he points out that his father had held the place, and that it had always been given to a member of the learned counsel. He also evaluates the other aspirants:

If you take my Lord Coke, this will follow; first your Majesty shall put an over-ruling nature into an over-ruling place, which may breed an extreme; Next you shall blunt his industries in matter of your finances, which seemeth to aim at another place; And lastly, popular men are no sure mounters for your Majesty's saddle. If you take my Lord Hubbard, you shall have a Judge at the upper end of your council board and another at the lower end, whereby your Majesty will find your prerogative pent. . . If you take my Lord of Canterbury, I will say no more but the Chancellor's place requires an whole man; and to have both jurisdictions, spiritual and temporal, in that height, is fit but for a king.

Bacon was not entirely ethical in this procedure, but he conformed to the practice of the time. Indeed, he was franker than his contemporaries. He received promise of the place on February 15 and on February 21 he wrote³⁹ to Villiers saying that the chancellor had said he would nominate him if the king asked him to name a successor.

The chancellorship was, however, closed to Bacon by the recovery of the chancellor. On February 27, Bacon wrote⁴⁰ to Villiers request-

³⁸*Ibid.*, 19402.

³⁹*Ibid.*, 5503, 45.

⁴⁰*Ibid.*, 5503, 46.

ing appointment as a privy councillor; he supplemented this letter by another⁴¹ of May 30, 1616, saying, ". . . I would be sorry that worthless persons should make a note that I get nothing but pains, and enemies, and a little popular reputation which followed me whether I will or no." On June 3, he wrote again to Villiers saying that the king had given him a choice between a place in the privy council and the expectation of the chancellorship.⁴² Once again the holding of one public office seemed to preclude the holding of another; but Bacon was permitted to hold both. Chamberlain wrote⁴³ to Carleton on June 8, 1616:

Sir Francis Bacon was in election to be sworn of the Council on Sunday last, and missed it narrowly, by the opposition almost of the whole Table, not so much in shew against his person as his place of Attorney, as being incompatible for many reasons; whereof among others, this was not the least, that it was unseemly he should plead before his Fellow-counsellors uncovered. But if that be all, he hath precedents in store; and for more surety, the King is so well affected to him; and the Lord Chancellor, as well in spite to the Lord Coke, as favour to him, so pliable, that it is thought he will part with the Great Seal upon good composition; whereby he may take his ease, and the other become Lord Keeper, whilst in the mean time the King should not want the Lord Chancellor's service, if he be preferred to the President of the Council.

On the day after the writing of this letter, Bacon was made a member of the privy council and was thus in a strategic position to aid in the disposition of the *commendam* and *praemunire* cases, resulting in the collapse of Coke, of whom Wilbraham says, "His arrogancie lost him many friends, to help him in neede."

⁴¹Lambeth MSS., Gibson Papers, VIII, 33.

⁴²*Ibid.*, VIII, 34.

⁴³Nichols, *James*, III, 170-172.

CHAPTER XV

Lord Keeper

"**Y**OU should refer your actions chiefly to the good of your sovereign and your country," and "... think goodness the best part of greatness." So Bacon wrote on August 12, 1616, to the king's favorite, thirty years his junior, when he forwarded to him the patent for his creation of Lord Blechly of Blechly and Viscount Villiers.¹ On the same date, Bacon wrote to the king sending the patent in revised form and commended Villiers as having "a safe nature, a capable mind, an honest will, generous and noble affections, and a courage well lodged; and one that I know loveth your Majesty unfeignedly."² On August 27, the creation occurred. It was not until November 29 that Bacon advised Villiers that financial arrangements had been made to support his new dignities.

Villiers seems to have taken Bacon's advice with such good grace that he requested more. In an extended letter, variant copies of which are extant, Bacon suggests that Villiers set aside a specific time for hearing petitions and another time for answering such petitions. Petitions should be sent to specialists for opinion, by which Villiers should be guided. All matters for decision, Bacon says, will come under the following heads: religion, justice, councillors, foreign negotiations, peace and war, trade, colonies, and the court. Under the first head, religion, Bacon admonishes that only learned, grave, and worthy men be preferred to archbishoprics and bishoprics, and he urges that colleges be "cherished and encouraged." In considering justice, he says, "Let the rules of justice be the law of the land"; he urges careful selection of judges and says that mercy should be left to the king. The number of councillors should not be great, but the church, the law, the army, and the diplomatic service should be

¹Lambeth MSS., Gibson Papers, VIII, 41.

²*Ibid.*, VIII, 42.

represented. An embassy, he says, should include those "skilled in the civil laws" and in language. In connection with the national defense, he suggests a strong navy and the encouragement of ship-building. Regarding trade, he suggests the abolition of monopolies "which are the canker of all trades." He urges, when considering colonies, that good governors be appointed, that the colonists be armed so that they may defend themselves, and that bankrupts, murderers, heretics, and schismatics be not harbored in the colonies. Finally, in discussing the court, Bacon exhorts Villiers to give no just cause for scandal and to conduct himself "wisely and evenly" before the king and the prince.

Throughout Bacon's legal career, he had been interested in the collection, compilation, and amendment of the laws of England. As early as 1594, he made known this ambition, and in 1614 his plan was submitted to parliament. Finding that no action had been taken upon his suggestion, it is not surprising that soon after his appointment as a privy councillor he again proposed such action to the king.³ After setting forth obvious objections to his proposed action and refuting those objections, he urges the compilation of both the common law and statutes. Taking up first the common law, he suggests that all ancient records in the Tower of London be studied, from which typical, important cases should be summarized with judgment and used not as "binding authorities" but as "reverend precedents." He suggests that, from the time of Edward I, year books be compiled, omitting cases contrary to existent law, frivolous argument, and repetitious cases, giving references as well to cases to the contrary as to these; and that introductory books auxiliary to the study of the law be compiled. In connection with statute law, he urges the repeal of statutes which time has rendered nugatory, the mitigation of extreme penalties, and the blending of concurrent statutes into uniform law.

In his proposal to the king, Bacon says, ". . . I am in good hope, that when Sir Edward Coke's Reports and my Rules and Decisions shall come to posterity, there will be (whatsoever is now thought,) question who was the greater lawyer."

On October 2, 1616, Coke appeared before the chancellor and the attorney general, at the command of the king, to relate what errors he had found in his reports. In their joint letter to the king, these officers say that Coke found, in the five hundred cases in his reports, errors in only a few cases relating to Mr. Plowden.⁴ From a letter of

³*Resuscitatio*, 271-280.

⁴Lambeth MSS., Gibson Papers, VIII, 50.

October 3, written by Villiers to Bacon, it appears that the chancellor and the attorney-general had recommended that, if Coke was to be tried, the council hear his case.⁵ Villiers reports that King James disapproved of this course because it would involve delay, the king's right to discharge a judge would be questioned, and Coke, who had sought audience with the king touching the royal service, would have to be denied admittance until the trial was over. Both Chancellor Ellesmere and Bacon answered⁶ this letter saying, "But if your Majesty understand it that he shall be charged; then, as your Majesty best knoweth, justice requireth that he be heard and called to his answer; and then your Majesty will be pleased to consider before whom he shall be charged; whether before the body of your Council (as formerly he was), or some selected commissioners (for we conceive your Majesty will not think it convenient it should be before us two only . . .; wherein we do not see how the time of divers days, if not of weeks, can be denied him." The king did not accept this sound advice. He required of the chancellor, the attorney-general, and the solicitor general a collection of the incorrect statements of Coke. The collection made was so voluminous that the king, before hearing Coke on October 17, asked Bacon and Yelverton to select five leading cases.⁷ These cases seemed to imply such radical opinions as the power of the common law to control acts of parliament and render them void, and the supremacy of the king's bench in affairs of state, thus vitiating the power of the king, the council, and the Star Chamber. Copies of the radical statements were given to Coke, who was ordered to reply on October 21. In the least important of the cases, one dealing with taxation, Coke insisted that his statement was correct; in the four significant cases he disclaimed any intention of challenging the king's prerogative. On November 10, King James announced his intention of removing Coke. Bacon, in discharge of his duty, sent to the king the formal dismissal on November 13.⁸ On November 21, he sent to the king a warrant to various judges to review the declarations in Coke's reports. In order, it would seem, that James might justify himself publicly, Bacon prepared a paper called "Remembrances of His Majesty's Declarative Touching the Lord Coke,"⁹ noting Coke's "perpetual turbulent carriage, first

⁵*Ibid.*, VIII, 51.

⁶*Ibid.*, VIII, 52.

⁷Probably the work entitled *Innovations Introduced into the Laws and Government*. *Ibid.*, VIII, 2443.

⁸*Ibid.*, VIII, 279.

⁹*Ibid.*, VIII, 254.

towards the liberties of his church and the state ecclesiastical; then towards his prerogative royal, and the branches thereof; and likewise towards all the settled jurisdictions of his other courts."

Slight attention need be given to an anonymous, consolatory but taunting, letter of advice to Coke after his downfall, the letter having been foisted upon Bacon. The style is patently that of an ardent Puritan, unlike that of Bacon. The content cannot be associated with Bacon, for he was wholeheartedly an advocate of king's rights, whereas the letter says, "We therefore thank you for standing stoutly on the behalf of the commonwealth" and ". . . we desire you to give way to power, and so to fight that you be not utterly broken, but reserved entire to serve the commonwealth again." The letter is interesting, however, in enumerating Coke's faults, *viz.*, speaking without listening, preferring his own weaker arguments, jesting at men in public, and resting the law upon his opinion.

Two criminal cases came to Bacon's attention during the latter part of 1616. The chancellor had referred an action for debt brought by one Bartram (or Bertram) to Sir John Tyndall and Dr. Amye, as joint referees. The referees finding a small amount due to Bartram, less than he claimed, Bartram shot and killed Sir John Tyndall and then hanged himself in prison before examination. Bacon told Villiers on November 17 of his intention to have some declaration made from the King's Bench or to publish a book concerning the fact in order that Bartram might not escape entirely as an example of public justice. On November 21, he advised the king that he had given order for such declaration in the king's bench and in chancery, and that he had "set on work a good pen (and myself will overlook it) for making some little pamphlet fit to fly abroad in the country."¹⁰ The pamphlet was written by Mr. Trotte.

The other case involved duelling. The question arose as to whether the Star Chamber should hear the case against Gervase Markham, who had been insulted by Beckwith, a man of Lord Darcy's. Offended by Lord Darcy's statement that Beckwith was as good a gentleman as Markham, Markham cast abroad a letter saying that Darcy had lied and that he would make good with his life what he had said. Bacon advised the king that the cause was "most fit for the censure of the Court." On November 27, Bacon, as king's attorney, addressed the Star Chamber and recommended a fine of five hundred pounds and imprisonment of Markham according to the course of the court.

¹⁰*Ibid.*, VIII, 280.

Bacon was, during 1616, giving attention to affairs in Ireland. On July 1, he wrote to Villiers saying, "I do more and more take contentment in his Majesty's choice of Sir Oliver St. Johns, for his deputy in Ireland." On July 2, he named for the Irish attorney-generalship, or for the solicitorship, in the event the present solicitor should be promoted to the attorneyship, Mr. Edward Wrytington, whom he had trained in the king's causes. Three days later, he wrote again to Villiers touching various commissions in Ireland and insisted that the oath of supremacy be not tendered to the magistrates of towns, for he believed that Protestantism must be expected to make slow progress in Ireland. In this letter, he suggested also a reduction in the council from nearly fifty to twenty and an increase in the army there. On July 22, he approved with some alterations a certificate concerning the creation and maintenance of staple towns in Ireland, or those in which wools, woolen yarn, and the like might be accepted for export.

The council, on March 16, 1616-1617, in an order to the lord deputy of Ireland, directed him to restrain generally "the exportation of all sorts of wools, woolfells, morlins, shorlings, lambskins, woolen yarns and flocks." Seven of the eight towns offered staple privileges declined to accept. Upon complaint of Munster, the lord deputy and the Irish council appealed to the English council for redress. The question being submitted to a board of commissioners for advice, they asserted the system "to be full of fraud and inconvenience" and recommended "free buying and selling of wools."

It will be recalled that in 1616, at the suggestion of Bacon, the rank and title of baronet was created, with the understanding that each baronet should support thirty soldiers in Ireland for three years. In 1616, Bacon advised the king that he approve the plan to declare the baronet to hold rank between baron and knight.¹¹

During the latter part of 1616, a number of routine matters occupied Bacon's attention: the question of transferring the reversion to a valuable patent office, formerly controlled by Somerset, to Villiers, who held through dependents; the question of the patent for the licensing of inns, held by Mr. Mompesson; the question of the patent for slitting iron bars; and others.

Bacon, meanwhile, had for some time been standing counsel to Cambridge University. Upon his appointment to the council, the University officials seemed to express the hope that Bacon would not be so much occupied that he would have to discontinue that service.

¹¹*Ibid.*, VIII, 275.

On July 5, 1616, he replied in Latin that, with the king's approval, he would be able even to plead in court for the University. In this letter he expresses the hope that the latter part of his life might be spent in leisure and letters.¹² In the fall of 1616, the city officials of Cambridge petitioned the king for incorporation as a city. The University officials, however, requested Bacon to stay the suit. On December 28, Bacon acknowledged the letter. On March 4, 1616-1617, the king wrote in Latin a letter to the University, possibly composed by Bacon, advising that the suit would not be approved and that the sanctity of the "domicile of the Muses" would be preserved.

Early in 1616-1617, when the king was planning a trip to Scotland, Bacon wrote a letter of "remembrances" to him advising of the care of matters of state during his absence.¹³ Bacon suggested that it might be well for the king to leave some warrant for the council to issue proclamations. Because of the age and illness of the chancellor, Bacon recommended also that a commission be prepared to take the seal into custody in order that justice might be administered during the king's absence.

Before his departure, the king was once more concerned with the possibility of an alliance between his son, Prince Charles, and a princess of the blood royal in Spain. On March 2, 1616-1617, he requested the opinions of some of the members of his Council on this matter before March 7.¹⁴ Although Bacon had, in 1615, in a letter to the king advising the convening of parliament, suggested the possibility of such alliance because it would be a means to "free the King's estate" and because "it will be a notable attractive to the Parliament, that hates the Spaniard, so to do for the King as his state may not force him to fall upon that condition." He says, however, that he would not "easily advise that that should be readily effected." Bacon was one of the members of the Council of whom opinion was asked concerning the proposed marriage. He seems to have consented with the other members that the treaty of marriage should be made. Although Prince Charles was at this time only sixteen, Sir Henry Digby had been sent to Madrid as early as 1614 to arrange for the alliance. In a letter¹⁵ docketed March 23, Bacon suggested to the king that Sir John Digby be instructed, in treating of the marriage on his next journey to Spain, to emphasize the effects

¹²*Baconiana*, 37.

¹³Lambeth MSS., Gibson Papers, VIII, 56.

¹⁴*Harleian* MSS. 1323, 263.

¹⁵Lambeth MSS., Gibson Papers, VIII, 59.

of such alliance and especially that it would extirpate pirates. It might be the beginning of a holy war against the Turk; it would establish a tribunal for peaceful decision in controversies among Christian states; and it would tend to prevent leagues to the disadvantage of monarchies. Bacon altered his opinion when resistance to the match was made manifest in the council. On April 19, 1617, he wrote to the king saying, "I do foresee, in my simple judgment, much inconvenience to insue, if your Majesty proceed to this treaty with Spain, and that your Council draw not all one way."¹⁶

In addition to arranging for the marriage, Sir John Digby was to consult with Spain concerning Turkish pirates who were harassing Spanish and British shipping. In an *Account of Council Business* of March 30, 1617, Bacon says that Sir Thomas Smith, treasurer for the Virginia company and colony, and governor of the merchants trading with the East Indies and elsewhere, had promised a contribution of £20,000 a year for two years to combat the pirates.¹⁷ The commissioners for Spanish affairs, of whom Bacon was one, certified on April 30, 1617, that they had, on April 14, conferred with sea captains and others concerning the method of combating the pirates.¹⁸ The sea captains and seamen were opposed to a surprise attack upon the pirates and urged "continual strength and power upon them for some years." They advocated also union with France and Holland for this purpose, and suggested obtaining assistance from Spain rather through grant of money than through joining forces with that country.

In his *Account of Council Business*, Bacon told the king of measures that had been taken to prevent disorder in London during his absence and especially to prevent May Day demonstrations. In order to insure quiet during his absence, the king had agreed with the council that a proclamation should be issued directing the gentry to leave London and occupy their country houses. The council, however, finding that the gentry was voluntarily leaving London after the departure of the king, suspended the execution of the proclamation. When the king, at Lincoln late in March, heard of the suspension, "no reason could allay his passion" and he commanded the operation of the proclamation to be continued.¹⁹ The proclamation was immediately sent to Lincoln for the king's signature. On April 5, 1617, Buckingham advised Bacon that King James "liked all your

¹⁶*Ibid.*, VIII, 61.

¹⁷*Ibid.*, VIII, 60b.

¹⁸*Calendar of State Papers, Domestic Series*, XCI, 52.

¹⁹*Ibid.*, XC, 150.

proceedings well, saving only that point, for which you have since made amends in obeying his pleasure, touching the proclamation.”²⁰

Meanwhile, on March 6, 1616-1617, the lord chancellor resigned, and on the next day Bacon was made lord keeper, the title which his father had held, and the title of all the chancellors during the reign of Queen Elizabeth. On March 8, 1616-1617, Chamberlain wrote to Carleton, “Yesterday morning the King, after he had been abroad to Marybone Park, and before going to Theobalds, delivered the Great Seal to Sir Francis Bacon, and made him Lord Keeper.”²¹ The following January he was made chancellor.

On March 7, 1616-1617, Bacon wrote a letter of thanks to Buckingham. On April 12, he thanked the two universities for their congratulations, saying in the letter to Oxford University that he would preserve the balance equally between the two.

An unexecuted warrant in the British Museum from the king to Attorney-General Yelverton indicates some attempt to dignify Bacon’s wife to comport with the lord keeper’s new honor. The date in March of 1617 is left blank. The warrant provides that Lady Bacon shall take precedence over all ladies under the rank of baroness. Another letter of personal interest was written on April 28, 1617, to the daughter of Bacon’s half-brother urging her to marry Sir Thomas Edmonds, a member of the council who was made treasurer of the royal household the following January.²² Such a letter was not unusual in these days of arranged matches. Bacon’s letter contains his typical sagacity: extolling the position of Sir Thomas, his wisdom and providence, his “loving and excellent good nature,” his ability to “free you of burdensome cares,” and the fact that he “hath set his affection upon you,” he importunes his niece not to be coy. The suitor, however, seems to have met with ill success.

On May 7, 1617, Bacon entered upon duty in the chancery court. Chamberlain says:

The first day of Term the new Lord Keeper rode in pomp to Westminster, accompanied by most of the Council and Nobility about town, with other gallants to the number of more than 200 horse, besides the Judges and Inns of Court. There was a great deal more bravery and better shew than was expected in the King’s absence; but both Queen and Prince sent him all their followers; and his other friends did their best to honour him.

²⁰Harleian MSS. 7006.

²¹Nichols, *James*, III, 235.

²²Additional MSS. 4260.

The greater part of his Train dined with him that day, which cost him, as is reported, £700.²³

Bacon's version given to Buckingham on May 8, is less credible:

Yesterday I took my place in Chancery, which I hold only from the King's grace and favour, and your friendship. There was much ado, and a great deal of world. But this matter of pomp, which is heaven to some men, is hell to me, or purgatory at least. It is true I was glad to see that the King's choice was so generally approved.²⁴

Bacon's speech at this time sets forth the general policies for the court of chancery in accordance with the king's injunction that the jurisdiction of the court should not be allowed to become too extensive.²⁵ He says that the seal should not be placed on letters patent automatically, but he should be advised of any case which should be stayed; that delay should be eliminated; and that the charge for obtaining justice should not be excessive. Bacon, therefore, declares that his court will not hear those cases adjudicable at common law; he will determine that revenue matters have passed the lord treasurer and the chancellor of the exchequer before he seals them; the decree shall promptly follow the hearing; and that, to spare cost, he will prevent prolixity in bills and answers. On May 18, Buckingham replied that the king was much satisfied with the speech.

Another speech made at about this time is interesting. It was delivered by Bacon when Serjeant Hutton was called to be a judge of the common pleas.²⁶ It contains eleven rules of conduct for the good judge: "draw your learning out of your books, not out of your brain;" and see that "your hands . . . be clean and uncorrupt from gifts." Two other speeches are also significant. The first, made in the exchequer when Sir John Denham was created a baron of the exchequer, says that "the king's prerogative is law, and the principal part of the law."²⁷ The second, to Sir William Jones when he was made lord chief justice of Ireland, urges him to have special care of the plantations and of the revenue and to proceed temperately in matters of religion.²⁸

Several months before the retirement of the lord chancellor, Thomas Egerton, the king had created him Viscount Brackley. He sent word by Bacon at the time of the resignation that he wished also to create Egerton the earl of Bridgewater. The chancellor died,

²³Nichols, *James*, 298.

²⁴Lambeth MSS., Gibson Papers, VIII, 63.

²⁵*Resuscitatio*, 79.

²⁶*Ibid.*, 93.

²⁷*Ibid.*, 91.

²⁸*Ibid.*, 89.

however, before the honor could be bestowed. The new Lord Brackley seemed interested in receiving the honor, having paid, according to rumor, £20,000 to Buckingham for his intercession. As the king was not in London, the question arose as to whether Brackley could be created an earl without the usual ceremony. Bacon eventually found other cases similar to that of Lord Brackley, who became the earl of Bridgewater on May 28 by patent.

Among a multitude of routine matters handled by Bacon at this time is his recommendation that Mr. Lowder, formerly the queen's solicitor, "be preferred to one of the Baron's places in Ireland." Bacon also granted ecclesiastical benefices to the poet Giles Fletcher, of Trinity College, Cambridge, and to Mr. Maxey of Christ's Church, Oxford.

In spite of "a good-natured gout" which left him "a little unperfect" in his feet, Bacon labored untiringly. On June 8, 1617, he wrote to Buckingham that he had left in his court not "one cause unheard. . . And this I think could not be said in our age before."²⁹ On July 10 he addressed in the Star Chamber the judges of the summer circuits.³⁰

But Bacon found time for his friends, although his official duties had become heavier through the absence of the king. After using what influence he had, he eventually effected the return from exile about the middle of July of his old friend Tobie Matthew. His entertainment of the Papist at his town place, York House, and at his estate, Gorhambury, was the subject of considerable gossip.

"Envy sometimes attends virtues and not for good," an unknown friend wrote to Bacon from Scotland. "I can read here whatsoever your Lordship doth act there; and your courses be such as you need not to fear to give copies of them. But the King's ears be wide and long, and he seeth with many eyes."

Dark clouds were gathering for Bacon as Coke became restless for return to his former dignity. A sure way for Coke to ingratiate himself with the king and Buckingham was to accept the suggestion that his daughter Frances, then but fourteen, marry Sir John Villiers, Buckingham's brother, a match enthusiastically fostered by Lady Compton, Buckingham's mother. Coke offered 10,000 marks as his daughter's dower, thus attempting to reduce materially the dower demanded, £10,000 and £1,000 annually during her lifetime, saying

²⁹Lambeth MSS., Gibson Papers, VIII, 65.

³⁰*Resuscitatio*, 87.

that "he would not buy the King's favour too dear."³¹ Coke was meanwhile being annoyed by a suit, the outgrowth of his having taken ordinary bail from an Englishman, charged with piracy against France, who eventually escaped. His wife, moreover, the former Lady Elizabeth Hatton, whose hand Bacon had vainly sought, complained before the council that Coke had defeated her jointure. Coke's suit was settled for about £3,500 and his trouble with his wife was temporarily adjusted.

An almost insuperable difficulty was met in the marriage negotiations when Lady Hatton pretended that her daughter was already engaged to the earl of Oxford, who, then in Italy, could not deny the statement. Bacon, who had previously helped to effect a reconciliation between Coke and Lady Hatton, as she continued to be called after her marriage, definitely disfavored the suggested alliance. He was, however, unaware of the king's attitude, which seemed at this time to be known only to Secretary Ralph Winwood. But Bacon had recently twice offended Winwood, once by rebuking him for beating his dog by saying, "every gentleman did love a dog," and, again, when Winwood had sat too near him, by telling him "either to keep or to know his distance."³² Winwood, for these and other reasons, seems to have been in no mood for revealing official secrets.

Lady Hatton had meanwhile taken her daughter into the country where she might be safe from ambitious young men. Lady Compton then appealed to Bacon for a warrant to regain possession of the girl, but Bacon wisely refused to grant it. Instead, he wrote to Buckingham on July 12, 1617, pointing out that the consent of neither mother nor daughter had been obtained and urging Buckingham not to countenance the marriage because of the fact that his brother would marry into a disgraced and a troubled house and because Buckingham would alienate all his friends who were antagonistic to Coke. Certainly, he urges, further negotiation should be deferred until Buckingham's return.

Coke had meanwhile come to terms with the Villierses. He offered dower of £10,000 and an annual maintenance of 2,000 marks during his lifetime and £1,000 in land after his death. He had also obtained from Winwood a warrant to recover his daughter. Accompanied by "Clem. Coke, my Lord's fighting son,"³³ and ten or eleven armed servants, and Lady Compton, Coke found the house where his

³¹*Calendar of State Papers, Domestic Series, XC, 122.*

³²*Goodman, Court of King James I, I, 283.*

³³*Calendar of State Papers, Domestic Series, XCII, 101.*

daughter had been hidden, and, "with a piece of timber or form" broke open the door "and dragged her along to his coach."³⁴

Lady Hatton hastened to Bacon, who was ill in bed. At her request, as related in a letter of July 26 to Mrs. Sadler, Coke's daughter, Lady Hatton was left alone in a room adjoining his bedchamber in order that she might see him as soon as he awoke. Rising from her seat, she bounced against Bacon's door "and waked him and affrighted him, that he called his men to him; and they opening the door, she thrust in with them, and desires his Lp to pardon her boldness, but she was like a cow that had lost her calf."³⁵ She then received a warrant from Bacon and other members of the council to retrieve her daughter.

Armed with her warrant and protected by Lord Haughton, Sir Edward Sackville, Sir Robert Rich, and sixty men with weapons, Lady Hatton attempted unsuccessfully to intercept her daughter as she came to the city by coach.

In compliance with an order of the council, Coke appeared before that body. The daughter was placed in neutral hands, and the attorney-general was ordered to prefer an information in the Star Chamber for the force and riot that had been used by Coke. The king, however, interfered and no action was taken against Coke.

Bacon, not having received answers to several letters to Buckingham, addressed a letter to the king stating his opinion of the Villiers difficulty but expressing himself as willing to be governed by the king's wishes.³⁶

A brief but caustic letter finally came from Buckingham, saying, "In this business of my brother's that you overtrouble yourself with, I understand from London by some of my friends that you have carried yourself with much scorn and neglect both toward myself and friends." Bacon, on August 23, 1617, replied to Buckingham indicating that he had been instructed by the court, saying ". . . since I heard from court I was resolved to further the match."³⁷ In late August, 1617, the king wrote Bacon an irate letter from Nantwich, saying that "the thefteous stealing away of the daughter from her own father" was the source of the trouble and reprimanding Bacon for not granting a warrant to Coke for the recovery of the daughter, as well as charging him with jealousy of Buckingham.³⁸ Bacon, with-

³⁴Camden, *Miscellany*.

³⁵Trinity College, Cambridge University, MS. R.5.5, 63.

³⁶Lambeth MSS., Gibson Papers, VIII, 71.

³⁷*Ibid.*, VIII, 73.

³⁸*Ibid.*, VIII, 69b.

out admitting that he was wrong, made his submission to the king in a letter dated August 31.

Attorney-general Yelverton had, meanwhile, met the king at Coventry. On September 3, 1617, he wrote a letter³⁹ to Bacon, which he besought the latter to burn, telling him that Coke, who was with the king, "hath not forborne by any engine to heave both at your Honour and at myself. He works by the weightiest instrument, the Earl of Buckingham," that Buckingham would use what power he had to oppose those who had attempted to thwart his brother's marriage, and that Buckingham had openly declared Bacon was lacking in fidelity to him as he had been to the earls of Essex and Somerset. He then advised Bacon to meet the king at Woodstock and to justify all proceedings as joint acts.

Bacon then uncovered a declaration by a rejected suitor of intention to kill the king and requested the king to revive the commission for suits.⁴⁰ His letter was answered by Buckingham, who said that the king had declared Bacon's answer to his letter "confused and childish" and had at first declared his determination to place "some public exemplary mark" upon Bacon, but that he had acted as intercessor for Bacon.⁴¹ He said that also the detraction of Bacon by courtiers, who had wished to please him, made him "rather regret the ill nature of mankind, that like dogs love to set upon him that they see once snatched at." Bacon's simple letter of appreciation brought him back into such favor that he continued his routine business and wrote for the king a memorial of his financial status.

On September 28, Coke, who had redeemed the land granted to his daughter for £20,000—he had spent £30,000 on the marriage—was restored to the council. On the next day, his daughter was married to Sir John Villiers, although a short time later she eloped with Sir Robert Howard. Lady Hatton lay ill, and virtually a prisoner, at the home of a friend until late in October. On November 2, she was freed. A week later she entertained the king and the prince at dinner, attended by all the court except Coke. "His Majesty gave her half-a-dozen kisses on leaving, and was very merry."⁴²

³⁹*Ibid.*, VIII, 74.

⁴⁰*Ibid.*, VIII, 75.

⁴¹*Ibid.*, VIII, 265.

⁴²*Calendar of State Papers, Domestic Series, XCIV, 15.*

CHAPTER XVI

Baron Verulam and Viscount St. Albans

WITH the death on October 27, 1617, of Sir Ralph Winwood, at whose door Lady Hatton had rested her troubles, the king delivered the seals of his secretary to Buckingham, who was created a marquis on the Sunday after New Year's day 1617-1618.

To Buckingham came a multitude of litigants in chancery. Many of their suits he referred to Bacon by letter. These letters appear to be purely perfunctory, many of them requesting consideration "so far as may stand with justice and equity." There is, in general, no evidence that Bacon's decisions were altered because of Buckingham's letters. Late in December of 1618, however, Buckingham did seem to place some pressure upon Bacon in one of his chancery cases. Dr. Steward and others had been named executors under the will of an intestate, who had left lands and £800 in their care until the son of the deceased should be twenty. The son, when he was about twenty, demanded interest on the £800. Bacon, in 1617, referred the case to two masters in chancery, who reported that interest at six per cent should be paid. The court ratified the masters' report. Upon failure of the executors to pay, the court decreed, in June of 1618, that they should pay ten per cent after service of the writ. In November, upon nonpayment, the chancellor ordered payment of a fine of £200. Dr. Steward then appealed to Buckingham, who wrote to Bacon on December 2 saying, ". . . if there be any place left for mitigation, your Lordship would shew him what favour you may for my sake in his desires."¹ He wrote again to Bacon on December 3, saying that Dr. Steward would not "yield to any thing wherein he conceiveth any hard course against him," and, "I should be sorry he should make any complaint against you. And therefore if you can advise of any course how you may be eased of that burden and freed from his

¹Harleian MSS. 7006.

complaint, without shew of any fear of him or any thing he can say, I will be ready to join with you for the accomplishment thereof.”² The case was adjudicated by having the defendants pay £900 to the court, a commission being appointed to settle other difficulties.

From the autumn of 1617 to the end of 1618, Bacon was engrossed in routine matters, none of great importance: he drafted an ordinance providing for reporters of the law; as a member of the council, he considered reduction in expense in the royal household, including suspension of pensions; he addressed the judges on February 13, 1617-1618, requesting them, by command of the king, to report on operation of houses of correction and on highways;³ he made another such address on June 26, 1618; he prepared new instructions for the Court of Wards; he engaged once more in the hearing⁴ of the countess of Shrewsbury, the former hearing having been held in 1611 as a result of the charge that the niece of the countess, Lady Arabella Stuart, had left a son who might become a pretender to the throne, but, as before, the countess was adamant; at the king's request, he commissioned Coke and others to inquire into a riot at the Spanish embassy, one of the ambassador's retinue having run over a child and having sought refuge at the embassy, to which he was followed by an angry mob; he was appointed, with the attorney-general and the chief justice of the King's Bench, to inquire into the sufficiency of the monopoly of the manufacture of gold and silver thread; he, with others, inquired into the manning of naval vessels; and he endeavored to prevent exportation of gold to the Lowlands. Bacon was informed by Buckingham on December 14, 1618, that the king had decided not to honor his request for appointment as one of the English commissioners to adjust with the Dutch commissioners, then assembled in London, various commercial difficulties⁵ in the East Indies because of his manifold existing duties. He closed this busy year of 1618 with a letter saying that his New Year's gift to James would be an account of the royal estate.

Not the least interesting of Bacon's duties as chancellor was his staying of a license to Edward Alleyn the actor, who had requested permission "to give in mortmain eight hundred pound land . . . for an hospital." Alleyn was the most distinguished tragic actor of his day. He was the inspiration of the Lord Admiral's Company, then

²*Ibid.*

³*Ibid.*, 1576.

⁴*Calendar of State Papers, Domestic Series, XCVII, 126.*

⁵Harleian MSS. 7006.

playing in rivalry with the King's Company, of which Shakespeare was a member. He was also master of the royal games and of the king's bears, bulls, and dogs. Bacon suggested to the king that the amount be reduced from £800 to £500, and that two other requests to perpetuate lectures at Oxford and Cambridge, which had been denied, be granted. Alleyn, who died in 1626, the year also of Bacon's death, was the founder of Dulwich College, the inception of which appears in this request for a license.

Bacon was meanwhile interested in his private affairs. In 1617 he was granted a lease for life in York House. In the same year, it would seem, he applied to the archbishop of York, the father of his friend Tobie Matthew, for a lease for twenty-one years in the same house.⁶ Late in December, 1617, he was threatened with revocation of his patent for the farm of petty writs, Sir George Chaworth having offered a higher rent. On New Year's Eve, 1617, however, he advised Buckingham that he had paid the king four times as much in increase as had been offered by Chaworth.⁷ On October 9, 1618, Bacon became a suitor in his own right, appealing to Buckingham for the patent to farm the profits of the alienations.⁸

But Bacon was even now not without his enemies. Lord Clifton, who had been fined and imprisoned on a minor charge, threatened to kill him.⁹ After appearing before the council, Clifton was committed to the Tower. In a letter to Buckingham dated March 17, 1617-1618, Bacon says, "I little fear the Lord Clifton." After being set free, Clifton, on October 5, 1618, committed suicide at his lodgings. Another enemy, a litigant in Bacon's court, published a pamphlet derogatory of him. At his hearing in the star chamber, the anonymous complainant proved to be unable to justify his statements and was heavily fined and punished.

"Baron Verulam of Verulam" became Bacon's title on July 12, 1618. His new dignity required lavish expenditure; indeed, his mode of living had never been less than elaborate. On the preceding New Year, he had given the prince a pair of golden candlesticks, Buckingham a cup of assay, and the archbishop of Spalato plate costing forty pounds. Now, in 1618, he kept almost a royal retinue: at York House, at least a hundred servants and at Gorhambury at least fifty. In his service were four butlers, six gentlemen of the chambers, and

⁶Lambeth MSS., Gibson Papers, VIII, 245.

⁷*Ibid.*, VIII, 87.

⁸*Ibid.*, VIII, 97.

⁹*Calendar of State Papers, Domestic Series, XCV, 5.*

twenty gentlemen waiters, or twenty-six if those names with a line drawn through them are counted.¹⁰ Bacon's receipts amounted to more than £4,000 from June 24, 1618, to September 29, 1618.¹¹ The items of these receipts are interesting, for they include, by way of example, £400 from Tobie Matthew and £1,200 from Mr. Rich, one of the masters in chancery. Yet there is no evidence to establish the fact that Bacon was at this time receiving money unlawfully. Among the list of gifts and rewards appear frequent gifts to individual poor as well as several sums to Humphrey Leigh on "his bill of money given to ye poor." Innumerable rewards were given to servants who had brought delicacies to Bacon, like quail, pheasants, salmon, stags, ducks, apricots, strawberries, and orange flowers. The royal servants were in general rewarded more liberally than the servants of others. Gifts for live partridges, hawks, and "fat wethers" may indicate that Bacon was stocking Gorhambury, where he hoped to spend his retirement in contemplation. Payments for masonry, upholstery, and hangings suggest numerous improvements at either or both of his places. But Bacon did not neglect his person. Items of expenditure are included for suits, handkerchiefs, silk, cuffs, shirts, and ruffs. In spite of his large income, Bacon seems to have been living beyond his means, for partial payments are made on a number of relatively small bills, and interest and principal are paid on several large loans. It was a day of display. Bacon basked in his grandeur.

For thirteen long years, Sir Walter Raleigh had languished in the Tower of London, the last, except Bacon, of the major Elizabethan courtiers. But his fertile mind would not be confined by time or place. His interest in scientific experiments led Bacon to consider employing him on the *Great Instauration*.¹² Dreaming of the world, Raleigh began to write a history of it; he progressed, however, only to 130 B.C. But he was a man of action also. Thinking of the New World, he had, or pretended to have, visions of rich mines and assured his influential friends that if he were released from prison and allowed to sail to the New World he would reward the king with one-fifth of the spoils. He was to have his freedom if he brought back a half ton of gold. In March 1616 he was released and in August his commission was granted despite the objection of Gondomar, the Spanish ambassador. It was then further agreed that Raleigh should, on pain of death, make an attack upon the Spanish.

¹⁰*Ibid.*, XCV, 64.

¹¹*Ibid.*, XCIX, 86.

¹²*Commentarius Solutus*.

On June 12, 1617, he sailed from Plymouth with a large force of soldiers and sailors. On the banks of the Orinoco, his men failed to discover the mine; they also engaged in an encounter with the Spanish, in which Raleigh's son, Captain Raleigh, was slain; and they burned the Spanish town of St. Thome. On his return to England, he was placed under arrest by Sir Lewis Stucley, and after an unsuccessful attempt at escape, he was placed in the Tower of London on August 9, 1618, having written his *Apology* on the way from Plymouth to London.

The king appointed Bacon, the archbishop of Canterbury, and four other commissioners to make a report upon the case, the first meeting being held on August 17. On October 18 the commissioners reported that Raleigh, having been convicted of treason in 1603, was civilly dead and could be tried for no other offense.¹³ The commissioners suggested, therefore, that if he was to be executed forthwith, an account of his crimes be published; or, better, that he be heard before the council of state and the principal judges, but that no sentence be given, a solemn act of council to be made with a memorial of the whole presence. The king, however, objected to the suggested courses—to the second because it would make Raleigh "too popular." He was eventually heard before those who had examined him. On October 29, 1618, he was executed. The king had erred in rejecting the advice of the commissioners that the order of execution be accompanied by a narrative of his crimes. Public sentiment ran so high after the execution of Raleigh that an official declaration was necessary: it appeared in November or December of 1618. Bacon was one of the councillors who drafted the declaration, the preparation of which was commanded by the king and authorized by the Council.

"A Declaration of the Demeanor and Carriage of Sir Walter Raleigh, Knight, as well in His Voyage as in and sithence His Return; and of the True Motives and Inducements which Occasioned His Majesty to Proceed in Doing Justice upon Him, as Hath Been Done," was printed in London by Bonham Norton and John Bill. As impartially as possible, the declaration sets forth the circumstances under which Raleigh undertook his voyage.

The intention of Raleigh to obtain spoil in an unlicensed manner, through depredation of towns and ships, in order to ransom his offenses, is established fairly satisfactorily, as are his attempts at

¹³Lambeth MSS., Gibson Papers, VIII, 21.

escape and his pretended illness. The apology of Sir Lewis Stucley and the printed examinations of witnesses are thoroughly incriminating, but the publication of the declaration, coming too late, did little to appease that public which has always demanded martyrdom.

On November 28, 1619, Bacon sent to Buckingham the submission of Sir Thomas Lake prepared by the lord chief justice, the attorney-general, and him.¹⁴ Lake's daughter had married Lord Roos, grandson of the earl of Exeter, who withheld consent to a marriage settlement. In order to force consent, the Lakes accused the second wife of the earl of Exeter of illicit relationship with Lord Roos and of a plot to poison Lady Roos. Sir Thomas Lake and his wife were imprisoned in February 1619, and their son, after a confession by Lady Roos, was held on a charge of perjury and subornation of perjury.

The queen, still called Anne of Denmark, died of dropsy on March 2. Seventeen days later the king, seized with illness and fearing death, recommended to his son a number of his lords. Bacon, also, was so ill during this month and several succeeding that there was common talk of appointing a lord keeper as his coadjutor. During this illness, he received "great pledges and certainties" of the king's "love and favour." In May of this year, the king granted him £1,200 annually, which James graciously declared to be "too little to encourage so well a deserving servant."¹⁵

Negotiations in the Spanish marriage had been suspended through the unwillingness of James to accede to the demands of Spain for repeal of statutes inimical to Spaniards. The king, however, was as tolerant of Catholics as he felt he could safely be. International affairs took on a new aspect in 1618 when Bohemia revolted against Catholic-ruled Austria. There was much fear as to the position of Spain in the pending conflict, for Scotland and Ireland were both sending dissenters, including the sons of Tyrone, to Spain. At about this time, Tobie Matthew wrote to Bacon from Brussels of conditions in Spain, saying that extraordinary preparations were being made for the collection of a large navy.¹⁶ On March 10, 1619, the German emperor Matthias, who was also king of Bohemia, died, his cousin Ferdinand succeeding him. James' son-in-law, Frederick, the Elector Palatine, meanwhile, hoping to make the duke of Savoy emperor, had been in correspondence with James in expectation of aid. Frederick also addressed a letter to Bacon, but he, realizing that aid-

¹⁴*Calendar of State Papers, Domestic Series, CXII, 43 and 44.*

¹⁵Harleian MSS. 7000.

¹⁶Lambeth MSS., Gibson Papers, VIII, 123.

ing the Protestant cause in Bohemia would alienate Spain, answered warily in French, expressing only sympathy and best wishes.¹⁷

At about this time, Bacon wrote a tract entitled, "A Short View to be Taken of Great Britain and Spain." In this comparative study, he notes the obedience of Ireland, the union of England and Scotland, the maritime power of England, the loyalty and wealth of the English, and the desire of the Dutch to join the English. He notes, on the contrary, the sanguinary nature of Spain and the peril to Spain in the event of concerted action by England and the United Provinces.

Bacon's paper was of little use because of a sudden turn of events. The Bohemians, thinking to unite the Lutherans and Calvinists and hoping for aid from England, on August 16 deposed Ferdinand and elected Frederick, James' son-in-law. Frederick then wrote to his father-in-law to ask whether he should accept the election. Although much of the correspondence in the matter has been lost, it appears that Bacon conferred with the king concerning Bohemia on September 8 and that two days later the council considered the matter. Word then came that Frederick had accepted, and other meetings of the council were held. Because James was jealous of his reputation as peacemaker of Christendom and because he believed in the sanctity of succession and in the divine right of kings, he was not eager to accede to the wish of his council that aid be granted to Frederick.

Bacon had, meanwhile, been in correspondence with Christian IV, king of Denmark. His Latin reply on June 16, 1619, to a letter from Christian, is graciously phrased and gives news of the English royal family. On March 2, 1619-1620, Bacon wrote another letter to Christian introducing a relative who was being sent to Denmark to borrow money to aid in the defense of the Palatinate. When Bacon's kinsman, Sir Robert Anstruther, returned with letters from Christian, he, on November 19, 1620, thanked the king of Denmark and praised his devotion to peace.

When James saw that the reversionary interest of his grandson to the Palatinate was being jeopardized, he, in March 1619-1620, permitted Frederick's agents to borrow money and levy volunteers in England and Scotland.

The Spanish were meanwhile carrying on negotiations with James for the Spanish marriage for the purpose of determining his stand in

¹⁷*Ibid.*, VIII, 107.

the Bohemian crisis. Eventually, however, all pretense was discarded and the Spaniards occupied the Palatinate.

The subscription which had been started in England to supply funds for the defense of the Palatinate had yielded so little that a circular requesting aid was sent to the nobility on October 25, 1620. On October 29, Frederick was defeated by the Bavarians at Prague.

At about this time, a political tract called *Vox Populi, or News from Spain* was published anonymously. With the approval of the king, Bacon drafted a proclamation prohibiting speaking and writing on affairs of state, probably the one dated December 24.

James decided on January 13, 1620-1621, to appoint commissioners to offer advice concerning the cost of soldiers and equipment necessary for a campaign. The commissioners reported on February 11 that 25,000 men and 5,000 horses would be required and that the cost would be more than £76,000 monthly, or three-fourths of a million pounds annually. At the opening of parliament, James made an excellent address explaining his position regarding the situation in the Palatinate. On February 16, the House of Commons resolved unanimously to grant two subsidies. The bill received royal approval on March 22. The two subsidies amounting to but approximately £164,000 and the maintenance of the army in defense of the Palatinate costing at the very least £500,000 annually, Coke explained that the grant was made freely and "not on any consideration or condition for or concerning the Palatinate." Thus the parliament did not commit itself regarding preparation for warfare, although a contemporary writer says that the members offered their lives and property for recovery of the Palatinate in the event it could not be recovered peacefully.

An interesting law case had in the intervening time come to Bacon's attention in 1619. Thomas Porten had petitioned Bacon for redress against the "wicked practice of conjurations of one John Clarkson" and his daughter which resulted in the burning of his house, his goods, his wife, and a child. On May 15, Bacon requested Sir Thomas Leigh and Sir Thomas Puckering to examine Clarkson and his daughter and determine whether there was any ground for the charge and to make him "answer the law according to the merit of so heinous a fact."

In another case, that of Peacock, a schoolmaster and minister, who had attempted to influence by witchcraft the king's judgment in the case of Sir Thomas Lake, Bacon said in a letter to the king that con-

fession would be forced from Peacock—if not otherwise, then by torture.¹⁸

At the time that Bacon was investigating these cases he was also writing the *Novum Organum* and was watching keenly the progress that Galileo was making in science. On April 4, 1619, Tobie Matthew wrote from Brussels that he was sending Bacon some of Galileo's works.¹⁹

Bacon was interested in a more important case in 1619. As early as July 1618, the earl of Suffolk, who was lord treasurer, was accused of unlawful exaction. On November 13, 1619, Bacon advised Buckingham that the earl and Lady Suffolk had been fined together £30,000 and had been committed to the Tower. Suffolk was, however, to have his inning when the same charge was brought against Bacon. The reporter of the case says that Bacon "to conclude (as his manner is), made an eloquent speech in praise of his Majesty and the present Government."

A contemporaneous case of importance is that of Dutch merchants accused of exporting gold and also an appendant case of fraudulently interfering with witnesses in the main case. Trial of the illegal exporters began on November 19, 1619. Fines from this and other causes at law replenished the king's impoverished estate, in which Bacon, as one of the commissioners of the treasury, was vitally interested.

Probably for the king's New Year's gift of 1619-1620, Bacon wrote a general letter on increase of the revenue and internal improvement of the realm and recommended the creation of a number of new commissions to effect these purposes.²⁰ He advised, on the contrary, in an undated letter that the commission of treasury be disbanded and that a single treasurer be chosen, the latter, in Bacon's opinion, having a more direct responsibility to the king. On June 9, 1620, he sent to Buckingham for the king's perusal a set of rules, now lost, for the star chamber.²¹

As if in mocking irony, when considered in connection with his own downfall, Bacon addressed James Whitelocke, upon advancing him to a serjeancy in chancery and appointing him chief justice of Chester, on the ideal of which we ever fall short:

Keep your hands clean, and the hands of your servants that are about you: keep them in awe, that they may not dare to move you

¹⁸*Ibid.*, VIII, 122.

¹⁹*Ibid.*, VIII, 103.

²⁰*Ibid.*, VIII, 227.

²¹*Ibid.*, VIII, 126.

in things unfit. Fly all bribery and corruption, and preserve your integrity, not respecting any in course of justice; for what avails it if you should be incorrupt and yet should be partial and a respecter of persons?²²

Bacon chose the worse course because of his zealous adherence to the cause of the king. James would admit of no wavering among his followers; and Bacon found it not difficult ardently to defend the king. He had been brought up to believe in the supremacy and divinity of kings, a belief strengthened by long years of faithful service. In a letter of July 23, 1620, he says, "The King's state, if I should now die and were opened, would be found at my heart, as Queen Mary said of Calais."²³ "De Gustibus," Browning calls his poem in which he transmutes the same idea into poetry:

Open my heart and you will see
Graved inside of it, "Italy."

Bacon was not a poet, but his sentiment is none the less sincere.

Bacon had, meanwhile, been having some difficulty with the attorney-general, Sir Henry Yelverton, the son of Christopher Yelverton, *littérateur* and courtier of Elizabeth. Bacon had long been friendly with the Yelverton family. Sir Christopher, who had written the epilogue to *Jocasta*, by Francis Kinwelmarsh and George Gascoigne, collaborated with Bacon and John Lancaster in writing the dumb shows for *The Misfortunes of Arthur*, composed basically by Thomas Hughes and presented by the gentlemen of Gray's Inn before Queen Elizabeth at Greenwich in 1588. In 1613, when Bacon presented before King James at Whitehall *The Masque of Flowers* in honor of the marriage of Robert Carr to the divorced wife of the earl of Essex, Henry Yelverton offered to Bacon £500 as part of the cost of production amounting to more than £2,000, but Bacon declined the offer. It was during this year that Bacon spoke of Yelverton as having been won to the side of the crown. Yelverton succeeded Bacon as solicitor general; but even before this time he had been so intractable that he disqualified himself for public office. Soon after the accession of James, he evinced antagonism toward the earl of Dunbar, a favorite of the king, as well as some opposition to the bills for the union with Scotland. Bacon was, it seems, aware of the restiveness of Yelverton, for he wrote in his collection of notes, or *Transportata*, for 1608, "Md Yelvert. I susp. for ye Epis. of fu. book." It is believed that he suspected Yelverton of writing an argument,

²²Harleian MSS. 1576.

²³Tanner MS. 290, fo. 67, Bodleian Library, Oxford University.

attributed to Nicholas Fuller, to prove that the ecclesiastical commissioners had no power to fine or imprison or put to the oath *ex officio* any of the king's subjects. He displayed this same lack of plasticity, sometimes called strength of character, when in 1617, after the delivery of his warrant as attorney-general to succeed Bacon had been delayed by Buckingham, he told Buckingham that it was not customary for favorites to interfere with legal appointments. Bacon seems to have made an honest effort to evaluate fairly the services of Yelverton, as when, in a letter to Buckingham dated December 7, 1619, he writes, "The attorney did very well today. I perceive he is a better pleader than a director, and more eloquent than considerate."²⁴ At other times, however, Bacon was displeased by his attitudes and lack of efficiency. On October 9, 1616, he wrote to Buckingham, "But that which gives me most to think, is the carriage of Mr. Attorney, which sorteth neither with the business nor with himself: for, as I hear from divers and partly perceive, he is fallen from earnest to be cool and faint." Again on February 17, 1619-1620, "Mr. Attorney groweth pretty pert with me of late, and I see well who they are that maintain him. But be they flies, or be they wasps, I neither care for buzzes nor stings, most especially in any thing that concerneth my duty to his Majesty or my love to your Lordship." In 1620, after Yelverton had inserted objectionable clauses into a charter granted to the City of London, the king requested the council to take cognizance of the matter with a view to satisfying his honor and recalling the charter. On June 16, 1620, the council addressed a letter to the king, signed by Bacon and Coke among others, advising the king that Yelverton's letter of submission was unsatisfactory. Yelverton, suspended from office, was ordered to appear at a star chamber hearing on October 27. On October 24, Bacon made notes on the case, saying that he was sorry for Yelverton, a gentleman with whom he had lived at Gray's Inn, and that he had served with him and had known him to be a gentleman of good parts, but that, as a judge, he held the offense very great, for if the learned counsel should be allowed to practice "the art of multiplication upon their warrants, the crown will be destroyed in small time." On the twenty-seventh the bill

was opened by Sir Randall Crew, the King's Sergeant, briefly, with tears in his eyes. And Mr. Attorney's submissive answer by John Finch: Mr. Attorney himself being there present, standing at the bar among the ordinary counsellors, where with dejected looks,

²⁴Spedding, *L.L.*, VII, 67.

weeping tears, and a brief, eloquent, and humble oration, he made a submission, acknowledging his error; but denying the corruption.²⁵

Although the cause was deferred indefinitely, Bacon wrote to Buckingham on October 28 of the case, "I have *cor unum et via una*; and therefore did my part as a Judge and the King's Chancellor." His attitude was thus what it had been in the case of Essex and Raleigh, that of rigid opposition to those who would not go as the king would go. On November 8 through November 10, when Yelverton was again heard in the star chamber, Bacon told the lords that the attorney's submission was not satisfactory, for it implied that the king had begged submission of Yelverton. He said, also, that Yelverton attempted to justify himself in stating that there was nothing in the charter not contained in the warrant. Coke suggested a fine of £6,000. Bacon in his address, following substantially the notes which he had formerly made, proposed a reduction to £4,000 and discharge from office.²⁶ On November 11, Bacon wrote to Buckingham:

Yesternight we made an end of Sir Henry Yelverton's case. I have almost killed myself with sitting almost eight hours. But I was resolved to sit it through. He is sentenced to imprisonment in the Tower during the King's pleasure. The fine of 4000*l.* and discharge of his place, by way of opinion of the court, referring it to the King's pleasure. How I stirred the court, I leave it to others to speak; but things passed to his Majesty's great honour.²⁷

Once more, Bacon added a diamond to the royal diadem only to tarnish his own soul.

On November 15, 1620, Bacon and Sir Robert Naunton, the secretary of state, and Sir Henry Montagu, chief justice of the King's Bench, recommended to the king the engrossing of transcripts of wills.²⁸ On December 17, Buckingham advised Bacon and the lord treasurer that Sir Robert Lloyd had been selected to be the patentee.²⁹

Bacon was, meanwhile, preparing for that parliament which was to bring him no happiness and was also, in the prosecution of his royal business, making a rift in his cordial relationship with Buckingham. On October 2, 1620, he wrote to the king acknowledging a note of the latter requesting him to confer with men skilled in politics with a view to preparing a parliament "without packing or degenerate arts." On October 7, he wrote to Buckingham saying that he had

²⁵*Ibid.*, VII, 134.

²⁶Lambeth MSS., Gibson Papers, VIII, 133.

²⁷*Calendar of State Papers, Domestic Series, CXVII, 76.*

²⁸Lambeth MSS., Gibson Papers, VIII, 134b.

²⁹Harleian MSS. 7000.

held such conference and that those present had considered former grievances, the issuance of a proclamation concerning elections, a satisfactory personnel of the house composed of "the ablest men of the kingdom," and the framing of some commonwealth bills to "add respect to the King's government and acknowledgment of his care."³⁰ On October 18, he sent to Buckingham a draft of a proclamation for a parliament, noting among the reasons for the convocation the difficulties in Bohemia and the penury of the king. On November 21, 1620, he forwarded to Buckingham a statement of precedents for issuing a summons to Prince Charles to attend the parliament. On the twenty-ninth, he, together with Montagu, Coke, Hobart, and Crewe, sent to Buckingham an account of grievances in the last parliament which might be renewed in the forthcoming parliament.³¹ These grievances are noted as, first, proclamations and commissions, and, second, as patents. They recommend that the patents be revoked by parliamentary action, a motion to be made to such effect by some discreet person; thus the subjects would be freed of patents and the glory would redound to the king. On the same day, Bacon wrote privately to Buckingham advising him that patents would probably be questioned in the house and that three of the patents might concern some of Buckingham's friends, viz., Sir Giles Mompesson and Christopher Villiers.³²

It is significant that Mompesson's sister-in-law Barbara, daughter of Sir John St. John, had married Sir Edward Villiers, half-brother of Buckingham. In 1616 Mompesson had suggested the creation of a license-granting commission for supervision of inns and alehouses. When he was attorney-general, Bacon was asked for an opinion not as to the advisability but as to the legality of issuing a patent to the commission and had said that such action would be legal. In 1616, also, the members of such commission, Mompesson being one of them, were nominated, it being provided that four-fifths of the proceeds should be turned over to the crown. On November 21, 1616, Bacon wrote to Buckingham, "I hear nothing from Mr. Mompesson, save that some tell me he is knighted, which I am glad of, because he may the better fight with the Bull and the Bear, and the Saracen's³³ heads, and such fearful creatures."³⁴ Mompesson had increased

³⁰Lambeth MSS., Gibson Papers, VIII, 128a.

³¹Tanner MS. 290, 33, Bodleian Library, Oxford University.

³²Lambeth MSS., Gibson Papers, VIII, 135.

³³Names of taverns

³⁴Additional MSS. 5503, 98.

the number of inns by granting licenses to some which had previously been closed as being disreputable, as well as by extorting fines from decent innkeepers for minor infractions of the law. In 1618, he was made also a member of a commission to grant licenses to manufacturers of gold and silver thread and assured such manufacturers that they should "rot in hell" if they did not prove docile.

Christopher Villiers was, as is well known, the half-brother of Buckingham. James, after appointing him gentleman of the bed-chamber and master of the robes, yielded to Sir Robert Naunton the secretaryship of state with the understanding that he name Christopher his heir. In addition to his incomes from these sources, Christopher received remuneration from the monopoly of gold and silver thread and from the patent for alehouses.

Buckingham had written to Bacon, on January 11, 1617-1618, requesting, on behalf of the king, Bacon's opinion on the patent for alehouses, to which Bacon replied on January 25:

. . . there is a scruple in it that it should be one of the grievances put down in Parliament; which if it be, I may not in my duty and love to you advise you to deal in it; if it be not, I will mould it in the best manner and help it forward.³⁵

Bacon's discernment was great in anticipating complaint against these monopolies in parliament, and he was both frank and astute in urging Buckingham to "take the thanks for ceasing them, than the note for maintaining them," and thus far seemed high-minded. He added, "But howsoever, let me know your mind, and your Lordship shall find I will go your way."

Except for a few minor complaints by suitors in Bacon's court, but one shadow predicting a storm cast itself over the horizon before the meeting of parliament. Bacon, it appears, requested Buckingham to ask the king to grant to him the right to name a baron and receive the payment therefor. In 1617-1618, Bacon had apparently been granted such right, a not unusual method of rewarding royal courtiers. In his request, Bacon named a precedent in a similar grant to Sir William Cavendish. Buckingham, in his undated reply, recommends that Bacon withdraw his request:

. . . the example you allege of Sir Will. Candish is no more but the prevention of that honour which no man knoweth how soon it may by his own right fall upon him . . . What the custom hath been for rewarding Chancellors after the Parliament I never heard; but it seems by your letter the last claimed it not. Whatsoever the

³⁵Harleian MSS 7006.

use hath been after the end of the Parliament, I assure myself your Lordship will hold it very unreasonable to be done before.³⁶

But even this could not dim his glory. On January 7, arrangements were made for bestowing upon him the title of Viscount St. Albans. Characteristically, before the investiture, in a letter of January 13, to the king of Denmark, Bacon signed himself "Fr. St. Alban, Can." On January 27, 1620-1621, Chamberlain tells that "the Lord Chancellor was created Viscount St. Alban's, with all the ceremonies of robes and coronet, whereas the rest were only done by patent." In an undated letter, Bacon thanked the king for his eighth promotion, "a diapason in music, even a good number and accord for a close. And so I may without superstition be buried in St. Alban's habit or vestment."³⁷

William Camden had considered Bacon's fifty-ninth birthday worthy of record in his *Annalium Apparatus*. Ben Jonson celebrated the sixtieth birthday, coming at the summit of Bacon's career, in *Underwoods*, published in 1640:

Lord BACONS Birth-day

Haile happie *Genius* of this antient pile!
 How comes it all things so about thee smile?
 The fire, the wine, the men! and in the midst,
 Thou stand'st as if some *Mysterie* thou did'st!
 Pardon, I read it in thy face, the day
 For whose returnes, and many, all these pray:
 And so doe I. This is the sixtieth yeare
 Since *Bacon*, and thy Lord was borne, and here;
 Sonne to the grave wise Keeper of the Seale,
 Fame, and foundation of the English Weale.
 What then his Father was, that since is hee,
 Now with a Title more to the Degree;
Englands high Chancellor: the destin'd heire
 In his soft Cradle to his Fathers Chaire,
 Whose even Thred the Fates spinne round, and full,
 Out of their Choysest, and their whitest wooll.
 'Tis a brave cause of joy, let it be knowne,
 For 'twere a narrow gladnesse, kept thine owne.
 Give me a deep-crown'd Bowle, that I may sing
 In raying him the wisdome of my King.

³⁶Spedding, *L.L.*, VII, 158.

³⁷Lambeth MSS., Gibson Papers, VIII, 225.

CHAPTER XVII

The Great Instauration

"**F**RANCIS of Verulam reasoned thus with himself, and judged it to be for the interest of the present and future generations that they should be made acquainted with his thoughts." Thus Bacon opens the *proemium* to his *Instauratio Magna*. "He thought," he continues, "all trial should be made whether that commerce between the mind of man and the nature of things, which is more precious than anything on earth, or at least than anything that is of the earth, might by any means be restored to its perfect and original condition, or if that may not be, yet reduced to a better condition than that in which it now is." It was his purpose, he says, "to commence a total reconstruction of sciences, arts, and all human knowledge, raised upon the proper foundations." Although the *Great Instauration* was far from complete when Bacon published it in 1620, he was impelled to publish an outline thereof because of his solicitude for his product, that "in case of his death there might remain some outline and project of that which he had conceived, and some evidence likewise of his honest mind and inclination towards the benefit of the human race." In his letter dedicatory to King James, he requests the king to assist him "in taking order for the collecting and perfecting of a Natural and Experimental History." "I have provided the machine," he says, "but the stuff must be gathered from the facts of nature." In the preface to the *Great Instauration*, Bacon says that the knowledge derived from the Greeks is "fruitful of controversies but barren of works." He would, therefore, have men emphasize the facts of nature and direct their studies toward a useful end, the benefit of mankind. In the *distributio operis*, Bacon sets forth his intended divisions of the *Great Instauration* as follows: 1. "The Divisions of the Sciences." On the title page, he says that this section, intended as a survey of existing knowledge, "is wanting. But some account of

them will be found in the Second Book of the 'Proficiency and Advancement of Learning, Divine and Human.' " Bacon later made *De Augmentis*, at this time unpublished, occupy the first division. 2. "The New Organon; or Directions concerning the Interpretation of Nature." This section comprises, in aphoristic form, the use of human reason and aids to the understanding in overcoming the obscurities of Nature. 3. "The Phenomena of the Universe; or a Natural and Experimental History for the Foundation of Philosophy." In this section, he intended to include "experience of every kind." 4. "The Ladder of the Intellect." This section, which is but the second division applied, he planned to devote to examples of inquiry and invention according to his method. 5. "The Forerunners, or Anticipations, of the New Philosophy." This division, intended for use only until completion of the sixth division and to the conclusions to which Bacon did not intend to bind himself, was to consist of such things as Bacon had "discovered, proved, or added" without observing true rules and methods of interpretation. 6. "The New Philosophy; or Active Science." This division, to which all the rest was to be subservient, he had no hope of completing. It was to set forth "that philosophy which by the legitimate, chaste, and severe course of inquiry which I have explained and provided is at length developed and established." The *distributio operis* contains one of Bacon's most important statements, that concerning induction: "Of induction the logicians seem hardly to have taken any serious thought, but they pass it by with a slight notice, and hasten on to the formulae of disputation. I on the contrary reject demonstration by syllogism, as acting too confusedly, and letting nature slip out of its hands . . . For I consider induction to be that form of demonstration which upholds the sense, and closes with nature, and comes to the very brink of operation, if it does not actually deal with it."

The various sections introducing the *Great Instauration*, viz., the *proemium*, the dedicatory letter, the preface, and the *distributio operis*, or plan of the work, are but prolegomena to the *New Organon*, more usually called the *Novum Organum*. The *Novum Organum* is, thus, the nucleus of the *Great Instauration*, and the prolegomena are but infoliations of the *Novum Organum*. The organon, or organ or instrument or method, of Bacon is inductive, as opposed to the old organon, or deductive method, of Aristotle, from whose work Bacon takes his title. It is, therefore, with philosophic irony that Bacon wrote the *Novum Organum* in the form of aphorisms, which are deductions or general statements in themselves—general

statements from which the investigator accepting them must work to particulars. Bacon says in Aphorism XXIV, "But axioms duly and orderly formed from particulars easily discover the way to particulars." This is clearly the deductive method. In appealing to others, however, to arrive at aphorisms from a study of particulars, Bacon is urging the use of the inductive method. He says, moreover, in the preface to the *Novum Organum*, "If any one would form an opinion or judgement either out of his own observation, or out of the crowd of authorities, or out of the forms of demonstration . . . let him examine the thing thoroughly; let him make some little trial for himself of the way which I describe and lay out . . ." Bacon, while leading away from Aristotle, is thus leading back to him. In the same place he says, "Those who have taken upon them to lay down the law of nature as a thing already searched out and understood, whether they have spoken in simple assurance or professional affectation, have therein done philosophy and the sciences great injury." In the preface, Bacon says also that it is not his intention to disturb received philosophy, which is satisfactory for disputation, or ornament for discourse, or the ordinary business of life, but that there should be another stream of knowledge, not alien to the first but allied with it in mutual endeavor, for those interested in science.

The *Novum Organum*, which Rawley, Bacon's chaplain, says he saw revised twelve times during twelve successive years, is divided into two books. Book I opens with one of the most famous quotations from Bacon:

Man, being the servant and interpreter of Nature, can do and understand so much and so much only as he has observed in fact or in thought of the course of nature: beyond this he neither knows anything nor can do anything.

From this point, he proceeds to discuss the unproductiveness of science and the fallacies of logic, noting particularly the inapplicability of the syllogism to science and urging the application of induction thereto. As in the *Advancement of Learning*, he enumerates the obstructions to the acquisition of knowledge. In the *Novum Organum*, the mental figments or fancies which so occupy the minds of men that they impede the entrance of truth are called idols, of which there are four kinds. Idols of the Tribe are those specters which inhere in the human race generally, the human understanding coloring and distorting the nature of things by mingling its own nature with the nature of things. Idols of the Cave are erroneous ideas resulting from the peculiarity of the constitution of

the individual, each person, influenced by his own personality and experience, looking "for sciences in their own lesser worlds, and not in the greater or common world." Idols of the Market-place are those fallacies resulting from the reaction of mere words upon the understanding, for words govern reason as well as reason governs words. Idols of the Theatre are those delusions received into the mind from accepted systems of philosophy and perverted rules of demonstration. It is not probable that Bacon took his doctrine of idols from the *Opus Majus* of Roger Bacon, which was not printed until the eighteenth century. The doctrine of idols, which Mersenne in his *Certitude des Sciences* calls the "four buttresses" of Bacon's philosophy, seems to have originated with Bacon. He introduces the same doctrine into the *Advancement of Learning* and the *Partis secundae Delineatio*, in which there are three idols; the *Temporis Partus Masculus*; the *Valerius Terminus*; and the *De Augmentis Scientiarum*. He continues with these signs, by which the accepted sciences and philosophies may be recognized as defective, and notes particularly the fruitlessness thereof. He then logically enumerates the causes of the fruitlessness of the sciences. Out of twenty-five centuries over which the learning of man extends, there are only six which were periods of learning, existing among the Greeks, the Romans, and the people of the Renaissance. In learning, least attention was given to natural philosophy; natural philosophy has been made subservient to other study; men have mistaken the true goal of the sciences, which should be the endowment of human life with new discoveries and powers; thought has been retarded by the false belief that the human mind is impaired by experimentation and close study of particulars; men have held antiquity and the possessions of the human race in too high esteem; humanity has imposed upon itself too slight tasks; superstition and excessive religious zeal have hindered progress; in the institutions of learning, science has been discouraged; advancement in the sciences has not been appreciated or rewarded; and most important, men have despaired of scientific accomplishment. He then continues with the expression of hope for the future of science through the devising of a new kind of induction which will discover first principles and even lesser axioms. In Axiom CXV, he completes the destructive part of the *Novum Organum* by refuting the "natural human reason, left to itself"; accepted "demonstrations"; and "theories, or the received systems of philosophy and doctrine." Bacon then closes Book I of the *Novum Organum* with the statement that he had no desire to found a school

of philosophy; that he promised no particular works, seeking experiments of light rather than of fruit; and that his ultimate goals are truth and utility. Book I of the *Novum Organum* repeats the essence of *Cogitata et Visa de Interpretatione Naturae, sive de Scientia Operativa*.

The *desiderata* in Bacon's plan are a systematic induction and a natural history. Having explained his method of induction in Book I, he applies it in Book II. In the last axiom of Book I, he says:

And now it is time for me to propound the art itself of interpreting nature . . . For I am of the opinion that if men had ready at hand a just history of nature and experience, and laboured diligently thereon; and if they could bind themselves to two rules,—the first, to lay aside received opinions and notions; and the second, to refrain the mind for a time from the highest generalisations, and those next to them—they would be able by the native and genuine force of the mind, without any other art, to fall into my form of interpretation.

Urging in Book II the preparation of a natural and experimental history, preliminary to which tables and arrangements of instances must be compiled, using always true and legitimate induction, he illustrates his method by a study of the form or nature of heat, a method commended by Tyndall two centuries later. Book II closes with an explanation of prerogative instances, or helps to the understanding in the interpretation of Nature. This book was not completed.

The *Novum Organum* has many defects in addition to its incompleteness. The work of the ancients is undervalued by Bacon, and the work of his contemporaries is unappreciated or unknown. He rejects the Copernican theory, saying of Galileo's theory of the flux and reflux of the sea, "But this he devised upon an assumption which cannot be allowed, viz. that the earth moves." It should be remembered, however, that it was not until after Bacon's death that Galileo's verification of the Copernican theory became generally accepted. He knew, but speaks slightly of, William Gilbert's work, *De Magnete*, published in 1600. He seems to have been unfamiliar with the *New Astronomy* of Kepler, 1609, despite his interest in tides. Although Harvey did not publish his discovery of the circulation of the blood until 1628, he promulgated his discovery in his lectures as early as 1616. It is surprising, therefore, particularly in view of the fact that Harvey was Bacon's personal physician, that Bacon seems to have been unfamiliar with the discovery. In a word, Bacon was neither scientist nor mathematician; it is only by virtue of his great

vision that he can be called the father of modern science. Bacon had the misfortune of living in an unscientific age, an age which, despite his pleas, was essentially mediaeval. Thomas Sprat says of the age:

But in imitation of the *King*, they chiefly regarded the matters of *Religion*, and *Disputation*: so that even my Lord *Bacon*, with all his authority in the State, could never raise any *Colledge of Salomon*, but in a *Romance*.¹

Though lacking in scientific equipment, both mental and physical, Bacon was a scientist in his mental processes: he recognized the impediments to scientific progress; he separated religion and science; he rejected existing systems; he popularized the inductive method; and he advocated and practiced suspension of judgment.²

While no one would think of asserting that Bacon invented inductive logic any more than of asserting that Aristotle invented deductive logic, for both processes are as old as man, Bacon did none the less make explicit and did systematize the inductive process, noted by Aristotle, which modern scientists use unreservedly. While specific examples of modern scientific research and discovery resulting from following Bacon's method cannot be noted, primarily because Bacon had no conception of the vastness and variety of Nature, he was, as Cowley has said, the prophet Moses on Mt. Pisgah surveying the Promised Land. He accepted many of the theories of his day, such as the relationship between the moon and the tides. He made some satisfactory experiments, *e.g.*, in heat and water. In psychological speculation, he is much in advance of his age; in the *Novum Organum* was generated Locke's *Concerning Human Understanding*; in France he was hailed by the Encyclopedists as the prophet of his age. His work, particularly the *Novum Organum* and the *New Atlantis*, inspired the founding of the Royal Society. Despite his condemnation of the Empirical School and his statement that he did not seek to found a school, his insistence upon experiment—and experiment made according to some order or method—contributed much to Empiricism. Of greatest importance is his repudiation of scholasticism, and especially of syllogistic reasoning as inapplicable to modern scientific activity; and, in natural philosophy, his desire to supplant preconceptions by a close study of Nature—not new argument but new art, not new sophistry but new science.

¹Sprat, *The History of the Royal-Society of London*, 151.

²Jones, *Ancient and Moderns*, Washington University Studies No. 6.

Even Macaulay, whose mind like lightning would wither this ever-green bough of knowledge, says in his essay, "Lord Bacon":

Considered merely as an intellectual feat, the *Organum* of Aristotle can scarcely be admired too highly . . . What Aristotle did for the syllogistic process Bacon has, in the second book of the *Novum Organum*, done for the inductive process; that is to say, he has analyzed it well . . . By stimulating men to the discovery of *new* truth, Bacon stimulated them to employ the inductive method, the only method, even the ancient philosophers and the schoolmen themselves being judges, by which new truth can be discovered. By stimulating men to the discovery of *useful* truth, he furnished them with a motive to perform the inductive process well and carefully.

On October 12, 1620, Bacon sent to the king a copy of the *Novum Organum*, with a letter saying that it contained the same argument as the *Advancement of Learning* sunk deeper, and that the work "is no more but a new logic, teaching to invent and judge by induction, (as finding syllogism incompetent for sciences of nature,) and thereby to make philosophy and sciences both more true and more active."³ The countenance and protection of James would, he says, breathe life into the work which "is but a new body of clay." In his own hand, the king, on October 16, thanked Bacon for the book and promised to read it carefully, "though I should steal some hours from my sleep . . . In the meantime, I can with comfort assure you that you could not have made choice of a subject more befitting your place and your universal and methodic knowledge . . ."⁴ Yet the king had difficulty in understanding the work, saying, ". . . it is like the peace of God for it passeth understanding."⁵ On October 20, Bacon wrote to thank the king for his letter concerning the "work which is for the bettering of men's bread and wine," and asking for the king's aid in having men collect a natural and experimental history.⁶ To his "very good Cousin," Sir Henry Wotton, the grandson of Sir Edward Wotton, whose daughter Philippa married Sir Edmund Bacon, he sent on October 20, three copies of the *Novum Organum*. In his letter of thanks, Wotton promised to send one copy to Kepler. Wotton, who had been a colleague of Anthony Bacon in the intelligence service of Essex, had, in June 1620, been ordered to Vienna in an endeavor to arrange a cessation of hostilities against the new king and queen of Bohemia. On October 31, 1620, Bacon

³Lambeth MSS., Gibson Papers, VIII, 129.

⁴*Resuscitatio*, 83.

⁵*Calendar of State Papers*, Domestic Series, CXIX, 64.

⁶Lambeth MSS., Gibson Papers, VIII, 130.

transmitted a copy of the work to Cambridge University with the statement, "Let it not trouble you that the way is new; for in the revolutions of time such things must needs be."

The help which Bacon hoped to receive from the publication of the *Novum Organum* was not forthcoming. Rawley says that Bacon complained that he "(who thinketh he deserveth to be an architect in this building) should be forced to be a workman and a labourer, and to dig the clay and burn the brick; and more than that (according to the hard condition of the Israelites at the latter end) to gather the straw and stubble over all the fields to burn the bricks withal."

Published in the volume with the *Novum Organum* is the *Parasceve ad Historiam Naturalem et Experimentalem*. Prefaced to this *Preparative towards a Natural and Experimental History* is a "Description of a Natural and Experimental History," the foundation of Bacon's philosophy. Bacon, realizing that the compilation of the history itself would require the assistance of many people, undertook in this work to supply only the method. He hoped that the mass of material collected according to his method might, as he says in the second of the ten aphorisms of the *Parasceve*, be valuable "for the sake of the knowledge of the particular things which it contains, or as the primary material of philosophy and the stuff and subject-matter of true induction." Bacon's induction, therefore, differs from that of other philosophers in that theory is to be drawn from a granary of natural history "made to the measure of the universe." To the *Parasceve* is appended a "Catalogue of Particular Histories," including a hundred and thirty items ranging from a history of heavenly bodies to a history of pure mathematics.

The violation of chronology seems justifiable, as well as the passing over temporarily of important details in Bacon's life, for the purpose of continuing the account of the manner in which the *Instauratio Magna* was constructed. After Bacon's fall, his closest literary friend was still the *Instauratio Magna*, the various ante-chapels and cloisters of which he was planning as the main building was progressing. On June 30, 1622, he wrote to Father Redemptus Baranzano, a professor of philosophy and mathematics at Anneci, who had become interested in the *Novum Organum*, urging him to write a history of the heavens and of comets to serve as a frontispiece to the natural history. In this letter, Bacon says that he was having the *Advancement of Learning* translated into Latin and that it would be completed by the end of the summer. Bacon had, it will be recalled, many years before requested Dr. Playfer to translate the work, but

the specimen sent to Bacon proved unsatisfactory. Bacon now devoted much of his time to a translation and employed to aid him, we are told by Tenison, George Herbert and others. In October, 1623, the work appeared. The second book of the *Advancement of Learning* was expanded to more than twice its original length, forming the last eight books of *De Augmentis Scientiarum*, and was made to serve as the first of the six parts of the *Instauratio Magna*. *De Augmentis* contains specimens of the cipher-writing which has been given much attention by the Baconians, as well as of antitheses, some examples of which he has taken from his essays. *De Augmentis* contains no deep-seated changes in the philosophy of Bacon. To the king, the prince, and Buckingham Bacon sent copies of the book; likewise to Oxford and Cambridge universities and to Trinity College, Cambridge, he sent copies exhorting those institutions not to fail, out of reverence to the ancients, to advance the sciences.

As Bacon worked, he altered slightly his original plan of the *Instauratio Magna*. He wrote to Father Fulgentio of Venice in 1625:

The first volume consists of the books concerning the 'Advancement of Learning;' and this, as you know, is already finished and published, and includes the partitions of the sciences; which is the first part of my 'Instauration.' The 'Novum Organum' should have followed: but I interposed my moral and political writings, as being nearer ready. These are: First, the 'History of the reign of Henry the Seventh, King of England;' after which will follow the little book which in your language you have called *Saggi Morali* . . . The same volume will contain also my little book on 'The Wisdom of the Ancients.' And this volume is (as I said) interposed, not being a part of the 'Instauration.' After this will follow the *Novum Organum* . . . As for the third part, namely, the 'Natural History,' that is plainly a work for a King or Pope, or some college or order: and cannot be done as it should be by a private man's industry. And those portions which I have published, concerning 'Winds,' and concerning 'Life and Death,' are not history pure: because of the axioms and greater observations that are interposed: but a kind of writing mixed of natural history and a rude and imperfect intellectual machinery; which is the fourth part of the 'Instauration.' Next therefore will come the fourth part itself; wherein will be shown many examples of this machine, more exact and more applied to the rules of induction. In the fifth place will follow the book which I have entitled the 'Precursors of the Second Philosophy,' which will contain my discoveries concerning new axioms, suggested by the experiments themselves . . . Last comes the 'Second Philosophy' itself—the sixth part of the 'Instauration:' of

which I have given up all hope; but it may be that the ages and posterity will make it flourish.⁷

Thus Bacon wrought the *Instauratio Magna* much as Chaucer constructed *The Canterbury Tales* by fitting in those divisions already completed and leaving the architect's drawings for the rest.

Abandoning, temporarily at least, all hope of completing the *Novum Organum*, the plan of which he tells us he had perfected, he continued his work on the third part. In 1622 he published the *Historia Naturalis et Experimentalis ad Condendam Philosophiam: sive Phaenomena Universi*. The genesis of this work may be found in *Phaenomena Universi; sive Historia Naturalis ad Condendam Philosophiam*, published by Gruter in his *Impetus Philosophici* in 1653 and intended also for an introduction to the third part of the *Instauratio Magna*. Bacon lists for eventual inclusion in his *Natural and Experimental History* the following: "History of the Winds," "History of Dense and Rare, and of the Contraction and Expansion of Matter in Space," "History of Heavy and Light," "History of the Sympathy and Antipathy of Things," "History of Sulphur, Mercury, and Salt," and "History of Life and Death." In the dedication to Prince Charles of the "first fruits" of the *Historia Naturalis et Experimentalis*, he promises to complete one or more parts each month. The volume contains, however, only the *Historia Ventorum* and introductions to the next four divisions. The last division, the *Historia Vitae et Mortis*, did not appear until the end of January 1622-1623, when it was published separately. The general introduction to the *Historia Naturalis et Experimentalis* again admonishes man to "search for knowledge in the greater world, and to throw aside all thought of philosophy" until a natural and experimental history can be completed. After condemning the ancients, including Plato and Aristotle, and the moderns, including Gilbert and Campanella, he says that his contemporaries should dominate Nature and create worlds.

It is strange, therefore, that in his *Historia Ventorum*, Bacon should lean heavily upon Pliny's *Natural History* and Aristotle's *Problems* and that he should quote from Gilbert's *Physiologia Nova*, unpublished until 1653, but which Bacon seems to have known in manuscript form. One of the major sources of this work is also Acosta's *Historia Natural y Moral de las Indias*. Beginning with thirty-three "Articles of Inquiry concerning the Winds," Bacon

⁷Spedding, *L.L.*, 532-533.

develops each of these articles, including the names, descriptions, qualities, powers, and prognostics of the winds. Bacon's apology for the *Historia Ventorum* precludes any exhaustive criticism thereof. From the scientific point of view, the work is disappointing. Bacon, agnostically, quotes Pliny's statement that it is possible to calm a whirlwind by casting vinegar against it. His description of a man-of-war has aroused much adverse criticism; he has inadvisedly accepted old wives' tales, such as "Ravens, when they croak continuously, denote wind." Although he shows clearly that he has not experimented sufficiently with the windmill to arrive at valuable conclusions, some of his experiments, like that with air in a round tower, are not worthless. In this work, it is the *littérateur* that is uppermost. Bacon quotes from Virgil's *Georgics*, "I have seen all the battles of the winds meet together in the air," which recalls the excellent description by Ascham in his *Toxophilus* of the wind upon the snow. Stylistically the work is charming: the introduction opens, "To men the winds are as wings. For by them men are borne and fly, not indeed through the air but over the sea; a vast gate of commerce is opened, and the whole world is rendered accessible." In describing periodic winds, he says that they "do not blow at night, but get up the third hour after sunrise. They appear indeed like winds tired with a long journey." Granting truly that there is a bit too much of Æolus in the work, it is nevertheless attractive primarily because it reveals another facet in a multifarious mind.

In a "Rule of the Present History" prefixed to this volume, Bacon says, "I superadd Titles of Abstract Natures . . . whereof I have constructed a new alphabet and placed it at the end of this volume. Although the alphabet does not appear at the end of the volume, a fragment found by Dr. Tenison entitled *Abecedarium Naturae* seemed partially to fill this gap. *The Alphabet of Nature* sets forth inquiries concerning masses of earth, water, air, fire, and meteors, the first four being the substances or elements of the early Greek philosophers.

In his address "To the Present and Future Ages," prefixed to the *Historia Vitae et Mortis*,⁸ Bacon says that although in his agenda prefixed to his *Historia Naturalis et Experimentalis* he has placed the *History of Life and Death* last, the importance of the subject made him decide to "advance it into the second place" in the hope that physicians might "raise their thoughts, and not devote all their

⁸Spedding, *Works*, II, 91-99.

time to common cures." Anticipating the objection that a Christian and philosopher should not be interested in the prolongation of the life of man, he says in the introduction, "we Christians should not despise the continuance of works of charity." It was not unusual for philosophy and medicine to be combined at this time; indeed, one of the first books published in England, *The Dictes and Sayengis of the Philosophres*, remembered today because Caxton published it, blended the two; certainly the medicine in Thomas Lodge's *A Treatise of the Plague* often yields to philosophy. What Bacon inherited from his English predecessors is difficult to say. There are similarities, probably because of a common stream of influence, to Anthony Ascham's *A Litle Herball of the Properties of Herbes*, and to Timothy Bright's *A Treatise of Melancholie*, which inspired Burton's *The Anatomy of Melancholy*, a treasury of exotic information, some of which is apocryphal. Bacon probably knew some of the many popular medical treatises of his day, including works on anatomy, surgery, obstetrics, pediatrics, insanity, witchcraft, plagues, public health, and tobacco. He says, "Wherefore a suffumigation of tobacco, lign-aloes, dried leaves of rosemary, and a little myrrh, inhaled in the morning through the mouth and nostrils, would be very beneficial." Certainly he knew *A Counterblaste to Tobacco*, published by King James in 1604, and he may have known *Work for Chimny-Sweepers*, published in 1602 for Thomas Bushell, probably a relative of Thomas Bushell, Bacon's seal-bearer and servant, who made experiments for Bacon and to whom Bacon taught the art of discovering and extracting minerals with such success that Bushell became the most famous miner in England. After the death of Bacon, Bushell lived for some while in solitude on the island called the Calf of Man, where he practiced Bacon's principles for prolonging his life and making his body more healthy. Bacon says in the introduction to the *Historia Vitae et Mortis* that he was interested in two subjects: "the one, the consumption or depredation of the human body; the other, the repair or refreshment thereof." Beginning his study with inquiry into the nature of inanimate bodies, vegetables, flowers, and trees, and the consumption and longevity thereof, he continues with an inquiry into the longevity of animals, birds, and fishes. From this point, he passes to longevity in man and the causes thereof, and then to medicines for the prolongation of life. He closes the work proper with "The Porches of Death," an account of those things which occur to man immediately before and

immediately after death. Included in this section is a vivid description of a dying man with "teeth firmly set, a hollow voice, trembling of the lower lip, pallor of the face . . . , raising up the white of the eyes . . . , a shrill cry, thick breathing, falling of the lower jaw, and the like." An appendage is entitled, "Provisional Rules concerning the Duration of Life and the Form of Death," each of the rules being followed by an explanation. Like the distinguished seventeenth-century physician, Sir Thomas Browne, author of *Religio Medici*, who despite his *Pseudodoxia Epidemica* believed in astrology, alchemy, and witchcraft and who rejected the Copernican theory, Bacon is guilty of many unscientific statements. The toothlessness of lions, he says, may proceed from their strong breath; islanders live longer than continental men; hairiness of the higher regions of the body denotes brief life, of the lower longevity. He approves the mediaeval custom of drinking a strong cordial of gold, more for the spirits of salt contained therein than for the gold itself; of taking pearls in powder or paste or in a solution made of the juice of fresh lemons; of taking crystals, especially the emerald and the jacinth; of drinking a decoction of steel several times a year; and he says that gunpowder taken in a draught before a battle is said to inspire courage in soldiers and sailors. Sometimes in the demonstration of a scientific truth, as the consent of flesh to flesh, he cites clumsy experiments, but with misgiving:

There is an account tolerably certain, and with the authority of many names, that some men, with deformed noses, tired of being laughed at, have cut off the excrescences and shoots, and having made an incision in their arms sewed them up therein for a time, and thence obtained more comely noses. If this is true it plainly shows the consent of flesh to flesh, especially in live flesh.⁹

But many of his statements may be approved with reservation: he rejects the belief in Plato "that the virtue of generations was impaired, because women did not use the same mental and bodily exercises as men;" he says that moderate exercise is more beneficial than strenuous exercise; he recommends drinking only well aged wine and beer—drinking water will not prolong life to any extent—and eating honey, apples, dates, and watercress, and avoiding condiments. He says that an herb called "coffee" used by the Turks will, if taken in large quantities, excite and disturb the mind; he recommends taking cold baths. "The cure of diseases," he says, "requires tempo-

⁹Castiglioni, *A History of Medicine*, 473, cites the practice of Gaspare Tagliacozzi (1546-1599) of partially removing skin from the arm, transplanting it on the nose, and finally removing it from the arm when rooted on the nose.

rary medicines, but longevity is to be procured by diets." Bacon believed that in all animate bodies two kinds of spirit exist, "lifeless spirits, such as are in bodies inanimate, and in addition to them a living spirit." This living spirit, which has the "substance of flame," is "diffused in the substances of every part of the human body," and it is this spirit which determines longevity. Although many of the instances enumerated do not conduce to any conclusion, the work is intensely interesting because it is the product of great research—more so than any of Bacon's other works. In considering longevity in human beings, he catalogues those who have lived to be preternaturally old, beginning with the antediluvian and coming down to his contemporary. Although his statements are sometimes not correct, his evaluations of the people named are very discriminating. Some of the experiences from his own life are interesting also: he says that he knew a nobleman who lived to a ripe old age who each morning had a clod of fresh earth placed beneath his nose to refresh his spirits. In recounting examples of organs continuing to live after being torn from the body, he says:

Indeed, I remember to have seen the heart of a man who had his bowels torn out (the punishment with us for high treason), which on being cast according to custom into the fire, leaped up at first about a foot and a half high, and then by degrees to a less height, for the space, as I remember, of seven or eight minutes.

Not without biographic interest is the statement that if an apple or nut remain in a conservatory of snow, it will months later be as fresh as if recently gathered. Bacon's consultants in the preparation of this treatise are Hippocrates, Aristotle, Pliny, Plutarch, Lucian, Suetonius, Tacitus, Valerius Maximus, Petrarch, Ficino, Roger Bacon, and many others; yet the *Historia Vitae et Mortis* is original in that it blends in an unusual manner his varied sources. It is a *mélange* of heterogeneous but engaging information such as only an age transitional from mediaevalism to modernity, a brilliant age of manifold interests, could produce. Haller, the eminent eighteenth-century chemist, physician, teacher, botanist, and poet of Switzerland, found it worthy of high tribute.

The third installment of the *Historia Naturalis et Experimentalis* was not to appear during Bacon's lifetime. The unfinished *Historia Densi et Rari* was published by Dr. Rawley in 1658. The most interesting part of the work is a table of specific gravities, called "A Table Showing the Contraction and Expansion of Matter in respect of Space, in Tangible Bodies (such as are Endowed with Weight);

with a Computation of the Proportions in Different Bodies." Bacon's interest in specific gravity seems to have been aroused by *Archimedes Promotus*, published in 1603, by Marinus Ghetaldus, who was, as the title of his work indicates, a scientific descendant of Archimedes. Although Bacon examined seventy-eight bodies as compared to the twelve of Ghetaldus, his work is so inaccurate that it, unlike that of Ghetaldus, is of little value today. Bacon's principal error lay in the fact that he did not recognize that the surface of fluid in a small prism is convex. Although his method is inexact, it is not uninteresting. Using pure gold as his standard, he moulded an ounce of gold into the shape of a cube, which he fitted into a hollow prism of silver; then, making another prism of exact weight and dimension as the first and placing other bodies in the second prism, he compared the bodies contained in the two prisms. Naturally, many bodies could not be compared with gold because they could not be moulded into cubes. The greater part of the work is devoted to examples of expansion and contraction. The *History of Dense and Rare* closes with a list of desiderata, including, "Conversion of quicksilver into gold (?)." At the end of the study, Bacon partially justifies his work by saying that he notes few desiderata and gives little admonition because "the matter is so general and extensive, that it is more adapted to inform the judgment than to instruct practice."

During the last five years of his life, Dr. Rawley tells us, Bacon wrote his *Inquisitio de Magnete*, the consummation of some of his earlier works on the magnet. This fragment, published by Rawley in 1658, appears to have been intended as one of the divisions of the third part of the *Instauratio Magna*. The *Inquiry respecting the Magnet* is but the record of a few experiments and is of little value or interest.

Another of Bacon's late writings is the *Topica Inquisitionis de Luce et Lumine*, published from one manuscript by Gruter in his *Impetus Philosophici* in 1653 and from another manuscript by Rawley in 1658. The *Topics of Inquiry respecting Light and Luminous Matter* is of small value today. It consists, as the name indicates, of a series of topics or directions to be observed in making a study of light: of those bodies which do and do not emit light and those which reflect light; of the degrees and colors of light, the multiplication, methods of overpowering, effects, continuance, and ways of light; of the transparency of lucid bodies; and of the affinities and oppositions of light. To these topics Bacon planned to add others

"as the nature of things leads the way." The facts of Nature, Bacon again implies in this work, will solve the enigma of the universe and create a true and vital philosophy.

The "Natural History is the world as God made it, and not as man made it; for that it hath nothing of imagination," Dr. Rawley says in his address to the reader prefixed to the *Sylva Sylvarum: or A Natural History*, published in 1627. This work is more an omnium-gatherum than the *Historia Vitae et Mortis*, a collection more or less conducing to the prolongation of life. The *Sylva Sylvarum* is, as Rawley says, "an indigested heap of particulars," the publication of which Bacon knew would derogate from "the glory of his own name," but he wished that other men might emulate him and make similar collections. In such collections might be found the materials "fundamental to the erecting and building of a true philosophy; for the illumination of the understanding, the extracting of axioms, and the producing of many noble works and effects." The perfected history, reduced to method, Bacon intended for the third division of the *Instauratio Magna*. The published work is rededicated to Prince Charles, to whom the *Historia Naturalis et Experimentalis* had been dedicated five years before. The work contains very little that Bacon did not include in his other writings, but it is interesting as an example of the raw materials which he used in his other works. The *Sylva Sylvarum* contains ten divisions or "centuries," each of which consists of one hundred statements, collected or observed, in natural or unnatural history, with occasional attempted explanations thereof. There is little unity within each of the ten centuries or within the work as a whole. Centuries II and III, however, deal in general with sound, and centuries V and VI with plants. As the title indicates, the *Sylva Sylvarum* is a collection of collections of curious information. In compiling the work, Bacon went to Aristotle, Cardan, Pliny, Porta, Scaliger, and Sandys. The *Sylva Sylvarum* contains statements that merit no room in a granary of facts, e.g., witches and sorceresses "have fed upon man's flesh, to aid (as it seemeth) their imagination with high and foul vapours;" and exaggerations, sometimes with a scientific basis, as in cold countries "when men's noses and ears are mortified and (as it were) gangrened with cold, if they come to a fire they rot off presently." On the other hand, the work contains a repudiation of alchemy as practiced, showing that Bacon lacked the faith of Queen Elizabeth and even of Dryden, who died with the birth of the eighteenth century. There is also an elaboration of the essay "Of Gardens," and there

are revelations which aid our knowledge of the economy of the period, such as the statement that the value of an acre of tobacco is two hundred pounds. Bacon's silence on the ills of the use of tobacco shows him to be no anti-tobacconist like Dekker, who condemns those who make furnaces of their noses and who calls the devil the leading tobacconist. There are also bits of interesting autobiograpy, like the accounts of his experiments in sound at Cambridge University and in France. The work is not without a charm of style, as when he says, "For heat and cold are nature's two hands, whereby she chiefly worketh."

The fourth part of the *Instauratio Magna* is represented by only an introduction, the *Scala Intellectus sive Filum Labyrinthi*, which, together with the preface to the fifth part, was published in Gruter's *Impetus Philosophici* in 1653. This introduction may have been written at any time after the plan of the *Instauratio Magna* was conceived. In the *Scaling Ladder of the Intellect; or, Thread of the Labyrinth*, Bacon asserts that the only difference between the ancients and the moderns is that the former affirm that "nothing can be perfectly known by any method whatever," whereas the moderns affirm that "nothing can be perfectly known by the methods which mankind has hitherto pursued." In the third part of the *Instauratio Magna*, Bacon says, we traversed the woodlands, our way beset with thorns; in this part, we proceed to the foot of the mountains and to universals. Let us, therefore, he urges, utilize the opportunities obvious and near at hand, and, through human exertion, advance true art, which is ever capable of advancing.

The fifth part of the *Instauratio Magna* (if the occasional pieces *De Fluxu et Refluxu*, *Thema Coeli*, *De Principiis atque Originibus*, and *Cogitationes de Natura Rerum*, which Bacon might later have embraced in an expanded plan, be not included) is represented only by *Prodromi sive Anticipationes Philosophiae Secundae*. In the *Pre-cursors; or Anticipations of the Second Philosophy*, Bacon again urges men of even moderate abilities to institute new inquiries into Nature. He would not, he says, cast aside common reason and popular proofs, but would have all men record, like faithful secretaries, the laws enacted by the voice of Nature. Nor would he demand for his "dogma the authority which we have withheld from those of the ancients"; on the contrary, he declines to be peremptorily bound by his own work because he would institute a free investigation of individual instances.

In his will, Bacon requested that Sir John Constable and Sir Wil-

liam Boswell examine all his papers, except his letters and speeches. Boswell turned many of these papers over to Isaac Gruter, who published them at Amsterdam in 1653. That Bacon did not publish these works during his lifetime may indicate that he considered them less pertinent to the general plan of the *Instauratio Magna* than the works which he did publish, or that he considered them unperfected.

Among these works is *Cogitationes de Natura Rerum*, probably composed before 1605. *Thoughts on the Nature of Things* is a discussion of the division of bodies, of the atom, of motion and rest, of consistency and fluidity, of consent between sensible and insensible bodies, and of the dissimilarity between celestial and sublunary bodies. Bacon composed this work because he foresaw that "these fabulous divorces and distinctions of things and regions, beyond what truth admits of, will be a great obstacle to true philosophy and the contemplation of nature."

De Fluxu et Refluxu Maris, published also by Gruter, was probably composed by Bacon before 1616, when Galileo published his theory. *On the Ebb and Flow of the Sea* is mentioned as one of the histories in the catalogue appended to the *Parasceve*. It is of interest as one of the many theories advanced as a result of maritime and astronomical curiosity during the Renaissance. Dismissing any connection between the moon and the tides, Bacon says that tides depend upon a progressive motion like that of water "in a basin, which runs from one side up against the other," the continents being the equivalents of the sides of the bucket. His theory must, he says, be abandoned if it be found that high water exists on the coasts of Peru and China at the same time that it exists in Florida and Europe. Some of Bacon's ideas seem to have been taken from Nicolaus Sagrus, quoted in the *Pancosmia* of Patricius. Although Bacon's theory has been accepted no more than has Galileo's, it is none the less an interesting attempt to explain this natural phenomenon.

Another of the works published by Gruter in 1653 is *De Principiis atque Originibus, Secundum Fabulas Cupidinis et Coeli: etc.* *On Principles and Origins* is incomplete. As Bacon uses classic myth in *Of the Wisdom of the Ancients* for the exposition of ethics, so in this work he uses classic myth for the exposition of philosophy. In the fable of Cupid or Eros, said by Bacon and supported by Plato to be the most ancient of the gods, except his contemporary Chaos, and begotten without parents, Bacon saw "a doctrine concerning the principles of things and the origins of the world, not differing in

much from the philosophy which Democritus held." Matter or the principle of things being found in Cupid, who was parentless, manifestly philosophers, who have been unwilling to accept the principles "of things as they are found in nature—and thus to accept simple entities from which others are derived—but who seek for the parents of Cupid and turn aside to unrealities, have corrupted philosophy." Bacon, however, expounds the system of Telesius rather than that of Democritus. His firm grasp of the atomic theory deserves the praise of Leibnitz: Descartes, compared with Bacon, creeps along the ground, and, "We do well to think highly of Verulam, for his hard sayings have a deep meaning in them." Cupid being naked, those who attempt to clothe him err. In the same way, those philosophers err who clothe matter with one garment and assert that to be the principle of things. For example, Thales asserts Water, and Anaximenes Air, and Heraclitus Fire, to be the one principle of things. These philosophers are, however, to be preferred to those who cover Cupid with a tunic or cloak and almost a mask. Bacon notes that the ancients did not make Earth the principle of essence, but did make Earth the parent and then the bride of Coelum. Bacon next discusses the theory of Parmenides, which set forth the first two principles of things, fire and earth or heaven and earth. He then turns to Telesius, who, receiving from Parmenides the hint that heat and cold are the two principles, attempted to explain phenomena on that basis. In expounding the theory of Telesius, Bacon takes occasion to liberate some of his own views.

Another tract published by Gruter in 1653 is the *Descriptio Globi Intellectualis*, said by Ellis and Spedding to have been composed about 1612. Bacon may, however, have written this work after his fall, for he says in Chapter IV that he considers himself "bound not to leave the completion of this history which I pronounce deficient to others, but to take it upon myself; because the more it may seem a thing open to every man's industry, the greater fear there is that they will go astray from my design." This seems to be clearly a recantation of his plan at the time of his fall to seek aid of others. This work purports to be, like the *Advancement of Learning* and *De Augmentis*, a survey of knowledge, which is of three kinds, history, poetry, and philosophy. In discussing natural history, he turns to astronomy, upon a discussion of which the book is written. In this work, Bacon shows familiarity with the *Sydereus Nuncius* of Galileo, but his silence concerning Kepler implies that he was unacquainted with *De Stella Martis*, published in 1609. Many of

Bacon's notions were derived from Patricius, who also rejected the orthodox hypotheses. Bacon is primarily interested in determining whether there is an astronomical system and, if so, what the center of it is. In favor of the sun as the center, he says that it is appropriate that the "body which has the chief office in the system should occupy that place from which it may best act on the whole system and communicate its influence." In *A Description of the Intellectual Globe*, Bacon slightly relents in his rejection of the Copernican theory—another argument for placing the work at a late date—for he says, "But if it be granted that the earth moves, it would seem more natural to suppose that there is no system at all, but scattered globes . . .," and "But if the earth moves, the stars may either be stationary, as Copernicus thought, or, as is far more probable, and has been suggested by Gilbert, they may revolve each round its own centre in its own place, without any motion of its centre, as the earth itself does . . ." Gilbert went too far, however, he says, in asserting that other globes in addition to the earth and the moon "are scattered among the shining globes throughout the expanse of heaven" and in maintaining that shining globes, "the sun and the brightest stars, consisted of a kind of solid matter." As is not unusual with Bacon, in this work he confounds theology and science.

A natural appendage to the preceding work is *Thema Coeli*, containing Bacon's own astronomical opinions. *A Theory of the Heaven* contains a number of interesting reflections of a man extremely intelligent but not well established in astronomy. Bacon denies that the moon is a dense or solid body, but asserts that it is of a flamy nature; that flame has a tendency to gather into globes; and that stars are flames. He denies that the earth revolves, but affirms the tendency of planets to follow the sun. With attractive scholarly agnosticism, Bacon closes this work:

These then are the things I see, standing as I do on the threshold of natural history and philosophy . . . I am certain of my way, but not certain of my position . . . I will preserve therefore, even as the heavenly bodies themselves do (since it is of them I am discoursing), a variable constancy.

A number of Bacon's minor works were published after his death. These he seems to have discarded because he had used the substance of them in some of his major works. They are of interest to us today in that they are rough drafts of works which he later perfected and because they reveal his interest in determining the best method of presenting his ideas with a view to gaining acceptance by the public.

Cogitationes de Scientia Humana was first published by Ellis and Spedding from the eighteenth-century British Museum manuscript formerly in the possession of Dr. Birch, who probably received it from John Locker, the historiographer royal. This work, an imperfect copy of an older manuscript, consists of three fragments. The first considers the limits, the end, and the use of knowledge much as these are discussed in the *Advancement of Learning* and *Valerius Terminus*. The second considers the relationship between truth and general consent, and the dignity of conversancy with particulars, together with the fable of Midas. The third considers wisdom in the business of life and several other unrelated matters. The work appears to have been written before 1605.

Valerius Terminus of the Interpretation of Nature: with the Annotations of Hermes Stella, first published by Robert Stephens in his *Letters and Remains* in 1734, is of importance only in that it is the prototype of the *Instauratio Magna*. The method, however, is not without interest and may be compared to that of Spenser's *The Shepheardes Calender* with the glosses of E. K. *Valerius Terminus* was possibly modeled after the name of the Roman historian, Valerius Maximus. The text of *Valerius Terminus* was to be so abstruse that annotations by Hermes, the herald of the gods, would be necessary, with starlight, to render the text meaningful to even the intellectually elect. No gloss, however, appears in the fragment. *Valerius Terminus* contains summaries of twelve chapters of a larger work, as well as some miscellaneous passages. This work, probably written in 1603, consists of material included later in the *Advancement of Learning*, and hence in *De Augmentis Scientiarum*, and in the *Novum Organum*. It is an interesting specimen of Bacon's method of development and dichotomy.

In the manuscript with *Valerius Terminus* is found "The first chapter of a book of the same argument, written in Latin, and destined to be separate and not public." This chapter is entitled *Temporis Partus Masculus, sive de Interpretatione Naturae Lib. 3*. This work as published in Gruter's *Scripta Philosophica* contains a second chapter. To these two chapters may be prefixed a prayer entitled *Temporis Partus Masculus sive Instauratio Magna Imperii Humani in Universum*. The first chapter, addressed to a disciple, declares that Bacon will place Nature and her offspring at the command of the public. The second chapter is a scornful attack upon various systems of philosophy, a violent method that Bacon had declared his intention to use in his *Commentarius Solutus* of 1608.

The essence of the second chapter is traversed again in *Redargutio Philosophiarum* and the *Novum Organum*.

The *Partis Instaurationis Secundae Delineatio et Argumentum*, published by Gruter in his *Impetus Philosophici*, is an outline of the *Novum Organum* and sets forth Bacon's plan to divide the *Instauration Magna* into six parts. In the same collection and as a part of this work, Gruter published Bacon's *Redargutio Philosophiarum*, then intended for the opening of the second part of the *Instauration Magna* and much of which is included in the *Novum Organum*. A large portion of the *Redargutio Philosophiarum* purports to be the report of an oration delivered to a group of philosophers in Paris and shows that Bacon was considering still another mode of making his conceptions acceptable to his readers.

Filum Labyrinthi, sive Formula Inquisitionis, published by Stephens in 1734, appears to be the draft in English of *Cogitata et Visa*, itself a mere preface to "Tables of Discovery, or Formulae of Legitimate Investigation." The work entitled *Filum Labyrinthi; sive Inquisitio Legitima de Motu*, published by Gruter, is a skeleton specimen of such legitimate investigation of motion. Bacon records this work in his book of loose notes for 1608, called *Commentarius Solutus*, as well as two other works on heat and cold and on sound. *Sequela Cartarum; sive Inquisitio Legitima de Calore et Frigore*, a fragment in English published first by Stephens, found final form in the section on heat and cold in the *Novum Organum*. The fragment in Latin, published by Rawley in 1688 in his *Opuscula Philosophica* and elaborately entitled *Historia et Inquisitio Prima de Sono et Auditui, et de Forma Soni, et Latente Processu Soni; sive Sylva Soni et Auditus*, has been superseded by the sections on sound in *Sylva Sylvarum*.

The brief paper *De Interpretatione Naturae Prooemium*, published by Gruter in his *Impetus Philosophici*, has been superseded by the first book of the *Novum Organum*. Written in Latin probably in 1603, it is of some autobiographic interest in that in it Bacon rededicates his life to a better method of studying Nature. Despite disappointment in civil life, in which his zeal was misinterpreted as ambition, and despite maturing age and disordered health, Bacon declares his resolution to prosecute his philosophic studies with undiminished enthusiasm. The work prophesies civil war—not an unusual prophecy early in the reign of James. Somewhat connected with this paper is *De Interpretatione Naturae Sententiae XII*, also

published by Gruter. After saying that man is the servant and interpreter of Nature, Bacon discusses the impediments of interpretation, the qualities and duty of the interpreter, and the "provision of things." Written in the form of an address to his disciples, it was revised and included in the first book of the *Novum Organum*. A fragment, not unrelated to the former but somewhat more closely related to the *Novum Organum*, is *Francisci Baconi Aphorismi et Consilia, de Auxiliis Mentis, et Accensione Luminis Naturalis*, first published also by Gruter.

The fragment, usually called *A Letter and Discourse to Mr. Henry Savile, touching Helps for the Intellectual Powers*, printed in Rawley's *Resuscitatio*, may be related to the sixth book of *De Augmentis*. This work was probably composed between 1596, when Savile became provost of Eton College, and 1604, when he was knighted. In the letter, Bacon says that upon his return from Eton, it occurred to him that the philosophers, although exhorting youth to morality, had said nothing of the "improvement and helping of the intellectual powers, as of conceit, memory, and judgment." Bacon urges the exercise of the intellectual powers and the reading of logic and rhetoric after poetry, history, and philosophy have been studied. The work slightly suggests Ascham's *Toxophilus* and *The Schoolmaster*, both of which works he undoubtedly knew.

Not the least interesting of Bacon's minor works, which he considered of insufficient importance for publication, are a few pieces published by Tenison in his *Baconiana* in 1679. These works, written in English, reveal the state of science in Bacon's day as well as his own interests and may be connected with his collection of natural history. They include two papers on the compounding and separation of metals; an inquiry into the "versions, transmutations, multiplications, and effections of bodies"; experiments in the weight of air and water, which may be related to the *Historia Densi et Rari*; "experiments for profit," including "Making peas, cherries, and strawberries come early" and "Conserving of oranges, lemons, citrons, pomegranates, &c. all summer." There are also an inquiry into the "commixture of liquors"; a list of "bodies attractive and not attractive"; and a series of prescriptions or recipes, including "Grains of Youth," intended for the prolongation of life or restoration of health, and related, therefore, to the *Historia Vitae et Mortis*. Among the last-named is a recipe for "A Manus Christi for the stomach":

Take of the best pearls very finely pulverised, one dram; of sal nitre one scruple; of tartar two scruples; of ginger and galingal

together, one ounce and a half; of calamus, root of enula campana, nutmeg, together, one scruple and a half; of amber sixteen grains; of the best musk ten grains; with rosewater and the finest sugar, let there be made a Manus Christi.

If Bacon's plan for the inauguration of a new philosophy was not the success he had hoped it would be, it was only because he was professionally unprepared for the undertaking. Such, however, was not the case with the inauguration of a scientific legal system. Perhaps no one in the realm was better equipped for the codification and explanation of the law than Bacon. Even Sir Edward Coke, who knew more decisions *verbatim* than did Bacon, was so much blinded by his passion for precedent that he was inept in the philosophical interpretation of the law and in comprehending the reasons for the existence of the law in its present state. Bacon's knowledge of the history of the law and the philosophy underlying the legal system, as well as his facility in reading and writing the Law French of the yearbooks and dictionaries, eminently prepared him for such an undertaking. It is not surprising, therefore, to find among Bacon's works a number of interesting and important treatises on the law. Indeed, it is unfortunate for his reputation that he did not write more in this field.

On January 8, 1596-1597, Bacon selected twenty-five of the three hundred maxims of the law which he had collected; these he expounded "without all colours or shows" and dedicated to Queen Elizabeth. *Maxims of the Law*, first published in 1630, should be considered in connection with the eighth book of *De Augmentis*. It was Bacon's desire to introduce into the law, as John Marshall did in America at a later date, general maximized principles which would eventually render the law more determinable and more reasonable. *The Use of the Law*, an elementary work the second edition of which was published with the *Maxims*, is doubtfully attributed to Bacon. *The Learned Reading of Mr. Francis Bacon, One of Her Majesty's Counsel at Law, upon the Statute of Uses*, delivered at Gray's Inn in 1600 in a series of lectures on that statute, strikes a balance between life interests and perpetuities and provides a basis for freer transfer of land. *A Brief Discourse upon the Commission of Bridewell*, published in the thirty-second *Report of Charity Commission*, was written earlier than the fall of 1587. The validity of the charter of the commission of Bridewell being questioned, Bacon expressed the opinion that the charter, although defective, might be defended, thus retaining in the commission power to punish ruffians

and vagabonds. About 1613, Bacon dedicated to his colleagues at Gray's Inn *The Arguments of Law . . . in Certain Great and Difficult Cases*, containing four arguments at least one of which was delivered after 1613. The subjects of these arguments are impeachment of waste, tenures, revocation of uses, and jurisdiction of the Council of the Marches, all four of which were published in 1730. In 1608, when preparation was being made for the union with Scotland, Bacon wrote *A Preparation toward the Union of Laws*, in which he discusses capital crimes.¹⁰ A paper related to this is a discussion of the office of constable, written in response to a request of Sir Alexander Hay, secretary of state for Scotland in 1608, and first published in 1641.

A list of one hundred and one ordinances originated or revived and enforced "for the better and more regular administration of justice in the chancery" shows an attempt, at least, by Bacon to conduct his office efficiently; it is the first real effort to establish orderly procedure in chancery. A review of Bacon's incumbency as chancellor reveals the fact that he introduced some important innovations in chancery practice. Among other things, he decided that a man breaking out of a house in which he has committed a felony is guilty of burglary, and he introduced the writ of sequestration. To his court as litigants came John Donne; the uncle of Oliver Cromwell; a relative of George Washington; and John and William Shakespeare of Warwickshire, relatives, it would seem, of the dramatist.¹¹ Had Bacon lived to accomplish his purpose of reviewing the entire legal system, discarding antiquated laws and codifying others, reforming procedure, and introducing reason into the entire body of the law, he would today be much the greatest figure in the history of the English law, and, indeed, there would now be no distinction between equity and law. Had he completed and published his rules and decisions, he would have justified his vaunt:

I am in good hope, that when Sir Edward Coke's Reports and my Rules and Decisions shall come to posterity, there will be (whatsoever is now thought,) question who was the greater lawyer.¹²

¹⁰Harleian MSS. 6797.

¹¹Ritchie, *Reports of Cases decided by Francis Bacon*.

¹²Spedding, *L.L.*, VI, 70.

CHAPTER XVIII

Outcast

BACON, the grandest tree in the rank luxuriance of the royal forest, surveyed the pruning of the underbrush, little knowing that the fall of a lesser growth would uproot him and little suspecting that time would exact decay and destruction soon after fruition.

The parliament for which Bacon had so fearlessly prepared was opened on January 30, 1620-1621, with the usual fanfare. Bacon replied graciously to the king's speech and to the address of Sergeant Richardson, the choice of the Commons for speaker. When Richardson urged his unfitness for office, Bacon replied that his speech by its eloquence denied his unfitness. After Richardson had been elected and had delivered his oration, Bacon responded thereto, recapitulating and elaborating the points made by the speaker. He pointed out that the king had unified England and Scotland, reduced Ireland to civility, obtained a portion of the New World, justified the appellation "Defender of the Faith," secured tranquility at home and abroad, given justice and shown mercy to the people, and caused the arts and sciences, particularly divinity, to flourish. He then urged parliament not to multiply laws but rather to review good laws then abandoned, not to seek for grievances, and to consider public matters before private ones.

Bacon must have been gratified with the appointment of seven lawyers, including Coke, to join with a commission earlier appointed "to draw all the statutes concerning one matter into one plain and perfect law; and to consider which were fit to be repealed, which in force, and which fit to be continued." Bacon's eloquence resulted in his being chosen to speak for both houses in considering a petition "for the better execution of the laws now in force against the Jesuits,

Seminary Priests, and Popish Recusants." His lifelong ambition to codify the laws was beginning to be realized.¹

The parliament soon struck upon the monopolies for which Bacon had previously shown concern. Demand was made that the honor of the king be cleared, which could be done only by shifting the blame for the existence of pernicious monopolies to the royal advisers. Although the patent for inns had been referred originally for legal opinion to Bacon and three others, and for opinions as to policy to four others, Bacon seems at this time to have entertained no fear as to the outcome of an investigation.

On February 28, the House of Commons determined to send a message to the House of Lords saying that corruption "by a man of quality" had been discovered. As soon as the king received this advice, he warned Bacon and suggested that he consult with the prince and the lord treasurer. When the two houses finally met, it was decided to obtain from Sir Henry Yelverton the only testimony available; Sir Giles Mompesson, who had been apprehended and placed under the surveillance of the sergent-at-arms of the Commons, had meanwhile escaped from his keeper and fled. Sir Henry was *particeps criminis* in that he had been one of the referees for recognizances for alehouses. Up to this time, Yelverton had said only that "there was a great person to whom this was referred." Bacon and the lord treasurer, after the king had justified himself to the House of Lords by placing any blame upon his advisers, deferred their apologies and justification "to a more seasonable time," having meanwhile apologized to the House of Lords for speaking without permission in their own defense in the conference with the Commons.

At another conference between the two houses, it was agreed to continue with the investigation of patents, the investigation turning to infringement of the patent for the manufacture of gold and silver thread, a patent that Bacon, as one of a committee of ten, had been appointed in April 1616 to protect. In October of that year, Mompesson had been added to the commission. Possible infringers had then been directed to enter into bond not to manufacture such thread. When they refused, Sir Edward Villiers, the brother of Buckingham, requested Yelverton to imprison them, which he did with the approval of Bacon. Yelverton was, therefore, in a position to embarrass Bacon, particularly with Coke leading the prosecution

¹Spedding, *L.L.*, VII, 181.

in the Commons. If the investigation of patents only had continued, Bacon might have been found to be irreproachable despite attempts to fasten responsibility upon him.

The Committee of Grievances, however, had turned to malfeasance in the courts of justice and especially in the Court of Chancery. Here, through lack of supervision by Bacon of his subordinates, forgery, it was discovered, had been committed by John Churchill, who had drawn upon orders which he attributed to some attorney. This, however, was but a migratory cloud passing in front of the sun. The confession of Churchill to the Committee of Grievances reflected only upon Bacon's supervision, but did not incriminate him personally. But Churchill was unwilling to fall alone. He said that the lord chancellor himself had accepted gratuities. The case was sent up to the House of Lords on March 22.

Two other serious charges had meanwhile been made against Bacon in support of Churchill's accusation. Christopher Awbry on March 14, 1620-1621, petitioned the House of Commons for relief against a decree by Bacon. Awbry, a litigant in Bacon's court, had been advised to give Bacon £100, which he delivered through his attorney, Sir George Hastings. As the case lagged in Bacon's court, Awbry wrote Bacon several letters pertinaciously demanding decision in his favor. Bacon, in response to the last letter, told Awbry that he would "lay him by the heels" if he importuned him. In the other case, Edward Egerton charged, among other things, that, while he was a litigant in Bacon's court, he presented to Bacon a basin and a ewer valued at £50 and later presented £400 to him through Sir George Hastings and Sir Richard Young. Bacon, looking at the latter gift, said "it was too much" and that Egerton "had laid a tie upon his Lordship to do him favour in all his just causes."² On March 14, Bacon wrote to Buckingham, "I know I have clean hands and a clean heart; and I hope a clean house for friends or servants. But Job himself, or whosoever was the justest judge, by such hunting for matters against him as had been used against me, may for a time seem foul."³

The Commons, concluding that gratuities and bribes are synonymous, on March 19 requested a conference with the House of Lords. Bacon, too ill to attend, asked the House of Lords to give him time to consult counsel and make his answer. The request was granted with the hope that "his Lordship shall clear his honour therein."

²Journals of the House of Lords, 54.

³Lambeth MSS., Gibson Papers, VIII, 220.

The House of Lords ruled, however, that witnesses were not to be examined as to what they had received, but only as to what bribes had been given to the chancellor. They thus conformed to the modern legal anomaly of permitting the tainted to appear against the reputedly tainted. They also permitted a single deponent to bring charge without investigation or supporting testimony or evidence.

Seeing himself about to be engulfed in the mire upon which he had built his court, Bacon appealed pathetically to the king on March 25, "I have been no haughty or intolerable or hateful man, in my conversation or carriage. . . I hope I shall not be found to have the troubled fountain of a corrupt heart in a depraved habit of taking rewards to pervert justice; howsoever I may be frail, and partake of the abuse of the times."⁴

"The abuse of the times" Bacon probably knew well. In 1607 Robert Cecil and others were suspected of receiving annual pensions from Spain. Yelverton himself is supposed to have paid King James £4,000 for the attorney-generalship. Bacon's opponent for the chancellorship offered the king £30,000 for the position. Montagu paid Buckingham £20,000 for the post of lord treasurer. The king himself unblushingly sold titles. It is, however, no justification of Bacon's conduct to say that others were corrupt when he admitted frankly that, although he did not pervert justice, he did accept gratuities from those who had suits in his court.

The anecdote told of Bacon at this time shows only the exterior of the man's nature: Prince Charles, returning from hunting and seeing at Gorhambury "a coach attended with a goodly troop of horsemen," said, "Well, do we what we can, this man scorns to go out like a snuff." Bacon was at this time so sick of mind and body that on April 10, 1621, he made his will, leaving "My name to the next ages, and to foreign nations." There is but one bequest to his wife, a box of rings. At this time also he composed a prayer: "And now," he says, "when I thought most of peace and honour, thy hand is heavy upon me, and hath humbled me."

Bacon was, meanwhile, preparing his defense and finding cases analogous to his own. He also interviewed the king and prepared notes beforehand to guide him in the interview, in which he asked the king for a statement of the particular charges. On April 20, he thanked the king for the audience and said, "I shall without fig-

⁴Tanner MS. 72, 105, Bodleian Library, Oxford University.

leaves or disguise excuse what I can excuse, extenuate what I can extenuate, and ingenuously confess what I can neither clear nor extenuate." The day thereafter he implored the intercession of the king, Prince Charles, and Buckingham to prevent the imposition of a sentence after he had made his submission and delivered the seal. On April 22, he made the same request of the House of Lords in the form of a written submission.⁵

There was more opposition than Bacon anticipated, for the number of charges had become formidable and numbered twenty-eight finally. He found moreover, a strong desire for revenge in Suffolk, who had not forgotten the stern justice which Bacon had meted out to him. The prince and Buckingham were, however, in sympathy with him. Eventually the suggestion of the lord chamberlain and Southampton that a particular confession be required was accepted. The charges, without the supporting testimony, were then sent to Bacon with the request that he answer them. The speaker communicated to the House the contents of a letter received from Bacon indicating that he would defend himself against the charges. The House thereupon inquired whether he would confess or defend, to which Bacon replied, "The Lord Chancellor will make no manner of defence to the charge, but meaneth to acknowledge corruption, and to make a particular confession to every point, and after that an humble submission."⁶

Bacon's answers to the charges admit that he took large sums of money from suitors *pendente lite*. Many of the alleged bribes he said he considered to be gifts, for at this time he was furnishing Gorhambury and was receiving gifts from a number of friends. Some of them were clearly loans, and indeed claim was made after his death upon his estate for the repayment thereof. Some he received for acting as mediator between litigants. Most were made without any previous agreement after the cases had been adjudicated. He points out, moreover, that few or none of the gifts were made during the period of almost two years prior to the filing of charges. He admits frankly, however, that he received gifts, often through servants and sometimes from both parties litigant in a single case. When asked whether he would acknowledge the confession to be his act, he returned answer, "My Lords, it is my act, my hand, my heart. I beseech your Lordships, be merciful to a broken reed." When on May 1, the seal was sent for, Bacon from his sickbed said, "By the

⁵Journals of the House of Lords, 84.

⁶*Ibid.*, 87.

King's great favour I received the great seal; by my own great fault I have lost it." By his voluntary act, he had subverted and demolished the canons which he had established as guides for others.

The members of the House of Lords, without considering the particular charges, found him guilty. The penalty fixed was a fine of £40,000; imprisonment in the Tower of London during the king's pleasure; and incapability of holding public office, sitting in parliament, and entering the verge of the court.⁷

But Bacon was not so easily beaten as the House of Lords imagined. He had been to an extent the victim of a latent but deep-seated antipathy to the policies of the king and of a hatred, flagrant at times, of Buckingham. The king and his minion, knowing this and realizing also that they had not been so ardent in Bacon's defense as they might have been—although Buckingham was the only one in the House of Lords to vote negatively on the punishment moved for Bacon—seemed reluctant to hasten him off to the Tower. On May 12, Southampton complained in the House of Lords that Bacon had not yet been imprisoned and expressed the fear that the world would think the sentence vain. Public feeling became so strong that toward the end of the month Bacon was in the Tower. On May 31, he wrote to Buckingham in no uncertain terms, "Procure the warrant for my discharge this day. . . But to die before the time of his Majesty's grace, and in this disgraceful place, is even the worst that could be." This letter, written after Bacon had ceased to fondle and caress his conscience, is the best revelation not only of his guilt but of the vicious practices of the age.⁸ "I acknowledge the sentence just, and for reformation sake fit," but he adds that he was "the justest Chancellor that hath been in the five changes since Sir Nicholas Bacon's time." Buckingham was either a good friend or a timorous enemy. In any event, on June 4, Bacon, out of prison, thanked Buckingham and said, ". . . my adversity hath neither spent nor pent my spirits." From the Tower, he went to the home of Sir John Vaughan at Fulham, where he stayed with the approval of the king until June 23, when he retired to Gorhambury because of the fear of Williams, bishop of Lincoln and the new lord keeper, that his presence within the verge might offend parliament.

The king, meanwhile importuned by various letters from Bacon, asked, with irony too poignant, for Bacon's advice concerning the

⁷*Ibid.*, 106.

⁸Lambeth MSS., Gibson Papers, VIII, 147.

reformation of the courts and relief of the people, a request which Bacon with good taste declined to give.⁹

On September 13, 1621, the king granted permission to Bacon to remain in London for six weeks and to stay at the home of Sir John Vaughan; and a week later he permitted Bacon to assign to such persons as Bacon might select the fine imposed by parliament. Bacon thus temporarily protected his fortune against a multitude of creditors. After much importuning by Bacon, the king signed a pardon for him on October 17, 1621; but the pardon excepted the penalties lately adjudged by parliament. Even this pardon was stayed at the seal by Lord Keeper Williams, who advised Bacon on October 18 that the granting of the pardon while parliament was in session would be undiplomatic. Upon Bacon's appeal to Buckingham, Williams explained that the pardon had been stayed because it was presented ten days after permission had been granted to Bacon to assign the fine to some of his creditors—an unintelligent and flimsy reason. Somewhat later, at an unknown date, the pardon passed the seal, possibly through the mediation of the Spanish ambassador, to whom Bacon bequeathed in the will, made at the time of his fall, "the picture of Indian feathers in the frame of gold," and who had volunteered to request the king of Spain to plead Bacon's cause with King James. To this generous offer, Bacon replied on June 6, 1621, that he had decided to retire from public life and occupy himself with letters.¹⁰ In any event, Bacon thanked him for obtaining "that which my other friends either have not ventured to try or have not been able to obtain."

Bacon's pardon did not permit him to go within the verge of the court, and Buckingham seemed unwilling to champion Bacon's numerous appeals for such permission because of pettishness resulting from Bacon's declination of Buckingham's offer to buy York House, in which Bacon was born and in which his father had died. This coolness on Buckingham's part, although as puerile as the Titania-Oberon dispute, was none the less the cause of Bacon's being kept out of London except on temporary visits made with special permission. Twice he had appointments with Buckingham when the latter failed to appear. He then became so desperate in his desire to be allowed to live in London that he contemplated petitioning the House of Lords to remove the penalty of banishment from the verge, but the parliament was prorogued before the petition

⁹*Ibid.*, VIII, 147.

¹⁰*Ibid.*, VIII, 248.

could be presented. The punishment, he says in his memorial, is "worse than the Tower," and "my wife that hath been no partaker of my offending, must be partaker of this misery of my restraint."¹¹ Buckingham was somewhat appeased by his finding another house to his taste, by Bacon's declination to sell York House to the duke of Lenox, and by Bacon's contemplating making a gift of the beautiful estate of Gorhambury to Buckingham. Buckingham was determined, nevertheless, to have control of York House. He, therefore, let it be known that he would like Bacon to sell it to Sir Lionel Cranfield, the new lord treasurer. Buckingham eventually expressed his willingness to discuss the sale of the house and Bacon's liberation with one of Bacon's friends. Sir Edward Sackville, whom Bacon named among others, reported, through Bacon's secretary, Thomas Meautys, that Buckingham had said, "I must tell you I have not been well used by him,"¹² Sackville also wrote to Bacon, "He vowed (not court-like) but constantly to appear your friend so much, as if his Majesty should abandon the care of you, you should share his fortune with him," and, "If York-house were gone, the town were yours, and all your straitest shackles clean off, besides more comfort than the city-air only."¹³ The Marquis would be exceeding glad the Treasurer had it." Bacon yielded. On March 12, 1621-1622, he wrote to the lord treasurer, to whom the matter of relief for Bacon had been referred, that he would send Sir Arthur Ingram to treat with Cranfield.¹⁴ A short time later, Bacon took a house at Chiswick, which Lady St. Albans could "make a shift to like," and permission was granted for him to enter the verge. His financial state was somewhat improved in January 1621-1622 by a grant of arrears due him by letters patent. The pension of £2,000 or possibly £3,000 annually, for which Buckingham had led him to hope,¹⁵ did not, however, materialize.

Like the tree which, though fallen, continues to produce leaves, Bacon, his temper mellowed, continued to write. Formerly, to use his own words, he had honor without leisure; now he had leisure without honor. Yet he turned his leisure to honor. As early as April 21, 1621, he wrote to King James:

But because he that hath taken bribes is apt to give bribes, I will go further, and present your Majesty with a bribe. For if your Ma-

¹¹*Ibid.*, VIII, 261.

¹²*Ibid.*, VIII, 266.

¹³*Ibid.*, VIII, 177.

¹⁴*Ibid.*, VIII, 260.

¹⁵*Ibid.*, VIII, 244.

jesty give me peace and leisure, and God give me life, I will present your Majesty with a good history of England, and a better digest of your laws.¹⁶

Although James offered him no encouragement in these projects, Bacon continued to write to the king of his plan for a compilation of the laws. In an undated letter to the king, he enumerates the lawgivers, beginning with Moses and ending with Henry VIII, and urges James to become a lawgiver and employ him in the work. He eventually abandoned the idea of recompiling the laws, as he wrote to Bishop Andrewes, "because it is a work of assistance, and that that I cannot master by my own forces and pen."

The other task he began. He planned originally a history of England from the union of the houses of York and Lancaster to the union of the kingdoms. Appropriately he began with the history of Henry VII, which has been previously noted and which was published in March 1622. The logical continuation of the history of England was a history of Henry VIII. About midyear of 1623, however, Bacon wrote to Matthew that he had found "Sir Robert Cotton, who poured forth what he had in my other works, somewhat dainty of his materials in this."¹⁷ Several months later he wrote to Prince Charles, "For Henry the Eighth, to deal truly with your Highness, I did so despair of my health this summer as I was glad to choose some such work as I might compass within days; so far was I from entering into a work of length."¹⁸

Other studies for his pen were meanwhile running through Bacon's mind. In a "Memorial of Access" with the king, written in Greek letters to insure greater privacy, Bacon listed as his active works, in addition to the recompilation of the laws, "The disposing of wards and generally education of youth," "Limiting the jurisdiction of courts, and prescribing rules for every of them," and "Reglement of Trade"; and as his contemplative works, the continuation of the history of Henry VIII, "General Treatise *de Legibus et Justitia*," and "The Holy War."

The dedication to Bishop Andrewes of *An Advertisement Touching a Holy War*,¹⁹ written in 1622, reveals the state of Bacon's mind at this time and his literary plans. Likening himself to Demosthenes, Cicero, and Seneca, who were reviled and banished and yet who produced literary works, Bacon says that he, too, determined to spend

¹⁶Spedding, *L.L.*, VII, 241-242.

¹⁷Lambeth MSS., Gibson Papers, VIII, 232.

¹⁸*Ibid.*, VIII, 271.

¹⁹Huntington Library MS., EL1594a.

his entire time in writing. He intended, he says, to render the *Instauratio Magna* less abstruse by drawing "it down to the sense, by some patterns of a *Natural Story* and *Inquisition*"; to enlarge and enrich the *Advancement of Learning*, especially the second book, and, after having it translated into Latin, make it serve as the first part of the *Instauratio Magna*. He also proposed to continue a "work touching *Laws*, propounding a character of justice in a middle term, between the speculative and reverend discourses of philosophers, and the writings of lawyers, which are tied and obnoxious to their particular laws." His other works having gone "all into the City, and none into the Temple," he chose in *A Holy War* "an argument, mixt of religious and civil considerations; and likewise mixt between contemplative and active."

A Holy War is the outgrowth of a remembrance of additional instructions²⁰ to Sir John Digby, which Bacon had sent for the consideration of the king on March 23, 1616-1617, when Digby was about to leave for Spain to arrange the marriage of the prince. The relationship between England and Spain was much the same in 1622 as it had been in 1617—negotiations for the marriage had been renewed and the pirates of Tunis and Algiers continued to be menacing. In 1616-1617, Bacon had suggested that England might undertake an agreement with Spain to abolish piracy and begin a holy war against the Turk. In popular dialogue form, Bacon, therefore, undertook *A Holy War* in the manner of the "Address of the Prince of Purpoole and Replies of His Six Councillors," supposedly written by Bacon and presented at Gray's Inn at Christmas 1594-1595. The dialogue form, used with great effect by More, Ascham, and Walton, is a happy choice for a tentative work like *A Holy War*, which implicitly advocates alliance of the Christian nations against heathen nations. It is, in a way, a forerunner of Swift's *The Tale of a Tub*.

As this was an allegorical age, it is not improbable that some kind of personal allegory may yet be discovered in *A Holy War*, or at least that Bacon had some in mind when he created the dialogists. The characters bear names indicative of their natures: Eusebius is a moderate divine; Gamaliel a Protestant zealot; Zebedaeus a Roman Catholic zealot; Martius a military man; Eupolis a politician; and Pollio a courtier. In discussing the affairs of Christendom, Eupolis requests the opinions of the company gathered at his house in Paris. Martius comments that Christian princes are wanting in "the propagation of the Faith by their arms" and says that "there is no such

²⁰Lambeth MSS., Gibson Papers, VIII, 59.

enterprise, at this day, for secular greatness and terrene honour, as a war upon infidels." Eupolis then suggests that Zebedaeus "handle the question, Whether a war for the propagation of the Christian faith, without other cause of hostility, be lawful or no, and in what case," after which Martius is to discuss the preparation for such war in the event such war be lawful. After considering all the possibilities of a war of this nature, Zebedaeus concludes that "a war against the Turk is lawful, both by the laws of nature and nations, and by the law divine" and that "a war upon pirates may be lawfully made by any nation, though not infested or violated by them." *A Holy War*, difficult to evaluate because it is incomplete, is mellow and majestic like the *New Atlantis*. Moss-covered with mediaevalism, it is the last literary voice of the Crusades. *A Holy War* was published in 1629 in Rawley's *Certain Miscellany Works* and was included, after translation into Latin at Bacon's request, in *Opera Moralia et Civilia*.

The tendrils of the vine of Catholicism, commonly considered parasitic in the seventeenth century, had been removed from the tree of state; but the vine itself was none the less alive. When, therefore, Bacon learned from Tobie Matthew that the pope had planned "to erect some titular Bishops for England" and thus, through diocesan partition, strengthen Catholicism in England, Bacon reported²¹ the matter to Buckingham, who authorized the lord keeper to have a conference with the Spanish ambassador about the matter. The lord keeper, after such conference, wrote that he feared Matthew would "prove but an apocryphal and no canonical intelligencer, acquainting the state with this project for the Jesuits rather than for Jesus' sake."²² Perhaps Sir John Suckling's evaluation of Matthew is just:

Toby Mathews (pox on him, how come he there?)

Was whispering nothing in somebody's ear.

Bacon was, meanwhile, interested in repairing his nearly exhausted treasury. A letter²³ addressed to the king, composed before Michaelmas of 1622, complains that his pension of £1,200 annually, which at Michaelmas would be £800 in arrears, had been stopped; and that his lease of the petty writs, with an income of £600 annually had been "seized for satisfaction of a private gentleman, your supplicant unheard, and without any shadow of a legal course." He prayed, therefore, that "your supplicant that aspires but to live to study be

²¹*Ibid.*, VIII, 256.

²²*Cabala*, 291.

²³Lambeth MSS., Gibson Papers, VIII, 240.

not put to study to live." Bacon had held in the interim, it would seem from a set of notes²⁴ written in Greek characters, a conference with Buckingham's mother, with whose exile from court, because of a return to Catholicism, Bacon commiserated in a letter of October 22, 1622.²⁵ Through the intercession of Buckingham, the king addressed a warrant to the lord keeper, the president of the Council, the comptroller of the household, and the master of the rolls, authorizing them to make a reasonable composition with Bacon's creditors.²⁶ From Sir Lionel Cranfield, the lord treasurer, Bacon could receive no practical aid. Indeed, Meautys wrote to Bacon of the treasurer, "I cannot imagine he means you any good."²⁷ Bacon in desperation wrote to Buckingham, "Good Lord deliver me from this servile dependence; for I had rather beg and starve than be fed at that door."²⁸

Some new hope came for Bacon on January 20, 1622-1623, when he had an audience with the king. Unfortunately for Bacon, the king disputed with parliament, with the result that parliament was dissolved without granting aid for the recovery of the Palatinate. In the hope of securing aid from Spain for this purpose and for furthering the Spanish marriage, Prince Charles and Buckingham left England incognito on February 18. Bacon, "the better to hold out," returned to his former lodgings at Gray's Inn, "for when my chief friends were gone so far off, it was time for me to go to a cell."

Another cell seemed momentarily to open its doors to Bacon. It will be recalled that in his private notes for 1608 Bacon wrote:

Layeng for a place to comand wytts and pennes. Westminster, Eton, Wynchester, Spec. Trinity College in Cambridg, St. Jhons in Camb. Maudlin College in Oxford and bespeaking this betymes, wth ye K. my L. Archb. my L. Treasurer.²⁹

Although Bacon by this notation probably meant only that among the faculties of these institutions he might find aid for the *Instauratio Magna*, he was none the less interested in education at these institutions, as evidenced, to mention only one instance, by his letter to Savile concerning education at Eton. When, therefore, the death of Thomas Murray, provost at Eton, appeared imminent, Bacon wrote to Sir Edward Conway, secretary of state, and to the king

²⁴*Ibid.*, VIII, 273.

²⁵*Ibid.*, VIII, 170.

²⁶Additional MSS. 12496.

²⁷Lambeth MSS., Gibson Papers, VIII, 269.

²⁸*Ibid.*, VIII, 262.

²⁹Spedding, *L.L.*, VII, 406.

requesting the place. Although Bacon's action seems rather cold-blooded, he knew by experience that it was fatal to await a vacancy in an office before applying for it. In all sincerity he said, "I love very well" Mr. Thomas Murray and added, "It were a pretty cell for my fortune. The college and school I do not doubt but I shall make to flourish."³⁰ But other suitors had applied previously, and Conway advised Bacon that Buckingham had promised the place to Sir William Becher. The king, Conway reported, said that he could not "conceive you would have humbled your desires and your worth so low" as to wish the place, but added that if he could otherwise accommodate Becher, he would give the place to Bacon.

In his letter of thanks for Conway's good offices, Bacon offered to send to him for the king's perusal a paper on usury, which he did send soon thereafter.³¹ The burning question of usury during the Elizabethan and Jacobean reigns is presented by Shakespeare and others through a dramatic medium with great effectiveness. Bacon's recommendation that usury be controlled legislatively is quite prosaic by way of contrast. In his paper, Bacon weighs judicially the advantages and disadvantages of borrowing at interest and concludes that it is a necessary evil. He recommends that the interest be reduced to five per cent, but that certain money lenders be licensed to lend money—in especially hazardous instances, it would seem—in London and other trade centers at nine per cent, one per cent of which was to be paid to the king. Blackbourne, in his edition of Bacon's works published in 1730, included a draft of an act framed by Bacon to punish the taking of illegal interest by fine of £100 for each offense, together with imprisonment for six months and sentence to the pillory.

Frustrated in his attempt to obtain office, Bacon reminded Gondomar, the Spanish ambassador, then in Spain, of his previous offer of assistance. To Gondomar, also, he recommended his close friend, Tobie Matthew, whom he sent to Spain, it would seem, to seek aid or office for him, not only through Gondomar but also through Buckingham and the courtiers attending him. To all of these he sent letters introducing Matthew and asking aid for himself. Indeed, he even asked Matthew to intercede with the Infanta if he had opportunity.³² The efforts of Matthew met with some success, for Buckingham, now elevated from marquis to duke, assured Bacon that he

³⁰*Calendar of State Papers, Domestic Series, CXL, 33.*

³¹*Ibid.*, CXL, 60.

³²Lambeth MSS., Gibson Papers, VIII, 188.

would be the first man he would remember in any great favor. Bacon lived in hope, but hope was vain. Although ardent in his own cause, Bacon was not the less ardent in the cause of his former servants. His correspondence of this period includes many requests for favors for them.

In July of 1623, the government party rejoiced because on St. James' Day the Infanta was to be proclaimed Princess of Great Britain. But the people were sorely displeased because the alliance meant abolition of penal laws against Catholics and even the introduction of Catholicism into the royal household. When, however, Spain refused to send its forces into Germany, the marriage treaty was broken off. Bonfires lit all England upon the return of Prince Charles. Buckingham became momentarily the defender of the Protestant faith. Bacon immediately jotted down some notes of advice to Buckingham.³³ The notes are meager, and consist in essence of but two thoughts, "His Grace is now to consider that this reputation will vanish like a dream," and ". . . let some such thing be done and then this reputation will stick by him." During the last month of 1623 and the first month of 1623-1624, it seems, he made additional notes for conferences with Buckingham.³⁴ In these, he planned to advise Buckingham that the Papists hated him, that the love of the Protestants was "yet but green," and that the courtiers were either reconciled enemies or discontented friends. He urges Buckingham, therefore, to play his own game and, like the bee, to show "both of the honey and of the sting." He recommends that Buckingham go "now constantly on for religion" and give "some counsel to the Prince that tasteth of religion and virtue," and that he be certain to keep the friendship of both the prince and the king. He advises also awakening a difference between Jesuits and other Papists in order to weaken Catholicism, and the formation of an alliance of all "the states of Europe against the growing ambition of Spain." This Machiavellian advice, common to the age, is followed by the suggestion that Bacon "live a summer as upon mine own delight at Paris, to settle a fast intelligence between France and us." A letter of advice to Buckingham, possibly written from these notes, contains many of the same ideas.³⁵ Again Bacon urges Buckingham to show himself to be "a true and sound Protestant." As for the Papists, Bacon says he knows Buckingham will not be inclined to

³³*Ibid.*, VIII, 271.

³⁴*Ibid.*, VIII, 192.

³⁵Harleian MSS. 1581.

rigor or persecution, but he urges that the king receive credit for any grace extended to Catholics. As for the Spanish match, Bacon says, ". . . it is too great and dark a business for me to judge of." If, however, he urges Buckingham, the king and prince seem in favor of it, "move in their orb." The Palatinate, he says, may be restored only by treaty or arms. If, therefore, there is no Spanish marriage, restitution by treaty is hopeless; and if the Dutch be destroyed or engage in treaty with Spain, there can be no restitution by arms.

Bacon's advice seems usually to have been given with a view to keeping himself in the minds of Buckingham and the king. With the stigma of parliamentary action still upon him, he sued to Buckingham on November 25, 1623, for two things: "the one for a full pardon, that I may die out of a cloud; the other for the translation of my honours after my decease." Early in 1623-1624, he wrote also to the earls of Southampton and Oxford asking them to exert their influence to have him invited to sit again in parliament. His effort was futile, but he did receive from the king some financial aid as the result of an appeal to Buckingham for a grant of arrears due to the king from Sir Nicholas Bacon, his half-brother. In his letter of January 23, 1623-1624, he values the arrears at £2,000 and says that he plans to "deal kindly" with his brother and reward the officers who brought the arrears to light. It may be that Bacon was simply pleading the cause of his brother, or that both planned to profit by the award. In the letter Bacon says, "I am almost at last cast for means."

The king announced on February 19, 1623-1624, that he had convened the parliament to ask advice as to whether he should proceed with the Spanish marriage or the restoration of the Palatinate. At about this time, Bacon wrote a speech which he wished to be delivered by Sir Edward Sackville in the House of Commons.³⁶ It is now impossible to determine whether the speech was delivered, but its delivery is improbable. It is in itself a work without any special merit or significance, except in that it does imply that Bacon yet thought that a war with a foreign country might preclude a civil war. Pointing out that in every conflict with Spain, "the English came off with the honour," he says that there could not be "a more just quarrel by the laws both of nature and nations than for the recovery of the ancient patrimony of the King's children gotten from them by an usurping sword and an insidious treaty." When the king

³⁶Harleian MSS 7021.

was finally persuaded to terminate the treaties, Bacon was, with the rest of the populace, so much delighted that he "ran into debt to give four dozen faggots and twelve gallons of wine" to the bonfire and the bibulous celebration following the declaration.³⁷

The termination of the treaties with Spain would, it was believed, result in war. But war requires money, and parliament had shown an unwillingness to appropriate £900,000 for the prosecution of an offensive war. Coke proposed a grant of £300,000 for the present. The committee then resolved to use the smaller sum for "securing Ireland," defending the coasts of England, preparing the navy for combat, and assisting the Low Countries. Nothing was said of the recovery of the Palatinate.

Recognizing the fact that England seemed ready to engage in war without any definite purpose or provision therefor, Bacon addressed a paper to Prince Charles entitled, "Considerations touching a War with Spain."³⁸ Bacon, apparently the only person in the realm capable of thinking straight, says that for a war are required "a just quarrel; sufficient forces and provisions; and a prudent choice of the designs." Developing the first division, he says that there are three just grounds for a war with Spain: recovery of the Palatinate, subversion of the civil state, and subversion of religion. Much of the paper is devoted to an account of conflicts between England and Spain, including the invasion of Cadiz "by that worthy and famous Robert Earl of Essex." Among the probable allies of Great Britain in a war against Spain, Bacon includes France, Germany, and Denmark. He advises making war upon Spain in several places at once, besieging strong towns, and procuring the king of France to make war upon the Spanish territories in Italy. He advocates the destruction of West Indian fleets off the Spanish coast and near the islands, together with the invasion of Peru or Mexico. The strategy used by the earl of Essex in 1596 was, therefore, to be repeated. In 1625, when he sent a copy of the paper to the queen of Bohemia, he referred to the discourse as one "which the King your brother liked well."

Had the advice of Bacon been heeded and had parliament supported aggressive warfare, the Palatinate could have been restored to the son-in-law of King James; Great Britain would have been able to dominate all Europe; and threatened civil war could have been crushed. James was ready to deliver his *arrière-ban* and the prince

³⁷*Calendar of State Papers, Domestic Series, CLXI, 30.*

³⁸Harleian MSS. 37 and 2232; Huntington Library MS. EL1594.

was eager for action, but the grant of £140,000, by the parliament which met in June of 1625, toward a war to cost nearly a million could be interpreted only as a desire of the people not to engage in war and certainly not to restore the Palatinate. A discordant army of 12,000 was sent to France to join Ernest de Mansfeld, but blundering management and pestilence made this expedition a fiasco. All hope for the recovery of the Palatinate was lost, and those who desired war decided to engage in it close to the throne.

Even during his exile, Bacon's hope of bequeathing his name unsullied to posterity was dimmed. The ugly head of bribery was, it seems, aroused by Bacon's enemies during his retirement. The patent for the survey of coals being questioned, Bacon was fortunate in being able to establish the fact that he had stayed the patent at the seal. In the other case, Bacon's conscience was not quite so clear. In a patent for the separation of the apothecaries from the grocers, Bacon admitted in a letter to Sir Humphrey May that the apothecaries had presented him with £100, but not in connection with judicial business.³⁹ He requested May, in the hearing of the case, not to let the matter be "raked up more than needs." Coke, he feared, might again prove predatory, for "he hath a tooth at me yet which is not fallen out with age."

The remaining years of Bacon's life were spent in private study and writing. Oppressed by personal sorrow and sickness, the lean hand of pestilence clutching the throats of his friends, and the shadow of death stealing closer upon him, he continued his work with unflagging ardor. From his damp cell at Gray's Inn still came pitiable appeals for help—help for his impoverished condition and help for his reputation. In one of these appeals, he petitioned the king to pay him in advance his pension for three years and to "discharge him of the rent of 1,000 l. reserved upon his farm of petty writs."⁴⁰ The first request was granted, the second denied. Lord Treasurer Lea was an untractable person, and Bacon had to show him, in a letter of June 20, 1625, that his mettle was undestroyed by his disgrace.⁴¹ He says, "I humbly intreat your Lordship, and (if I may use the word) advise your Lordship to make me a better answer. . . Your Lordship may do well to think of your grave as I do of mine; and to beware of hardness of heart. And as for fair words, it is a wind by which neither your Lordship nor any man else

³⁹Lambeth MSS., Gibson Papers, VIII, 231.

⁴⁰Additional MS. 5503, 109.

⁴¹*Ibid.*, 5503, 109b.

can sail long." He again petitioned the king for "a complete and total remission of the sentence of the Upper House" and enclosed a warrant to such effect for the king's approval, but the warrant never received the king's signature, perhaps because of the death of James on March 31, 1625.

One of the first acts of King Charles was to marry the Princess Henrietta Maria of France, whom he had seen and admired on his way to Spain to seek the hand of the Infanta. Buckingham was sent to Paris to escort the bride to London. Fortunately for Bacon, the French ambassador, Marquis d'Effiat, who was coming to England with the princess, had read and admired Bacon's works. To him, therefore, Bacon wrote on June 18, 1625, reminding him of his promise to "*me mettre en la bonne grace de nostre tres-excellente Royne,*" and asking him to "*prescher un peu à mon avantage en l'oreille du Duc de Buckingham en general.*"⁴² To the Marquis d'Effiat, he sent a copy of the 1625 edition of his *Essays*.

In the previous December, he had published, with title-pages bearing date of 1625, his *Translation of Certain Psalmes into English Verse* and his *Apothegms New and Old*, both written for recreation during an illness. The apothegms were intended, like several of Bacon's other collections, to be "interlaced in continued speech. They serve to be recited upon occasion of themselves. They serve if you take out the kernel of them, and make them your own." Such maxims are, like those of Caesar, Bacon tells us in the 1623 enlargement of the *Advancement of Learning*, "speeches with a point or edge, whereby knots in business are pierced and severed." The original collection contains two hundred and eighty apothegms. These maxims were subsequently published in various forms by Rawley, Tenison, and Blackbourne. Tenison states, not too probably, that the collection was the work of one morning, and Rawley says that the maxims were dictated from memory "without turning any book." The apothegms are, indeed, both new and old. The wisdom of Lycurgus, Diogenes, Plato, and Alcibiades is represented on the one hand; of Raleigh, Elizabeth, Coke, and Bacon himself on the other. Bacon says in the preface that he omitted no apothegm because it is vulgar, "for many vulgar ones are excellent good." In a commonplace book, from which additional apothegms were taken, it is stated that upon making a visit to Bacon's sickroom but being unable to see him because of illness, the Marquis d'Effiat said that

⁴²Spedding, *L.L.*, VII, 528.

"he revered him as he did the angels, whom he read of in books, but never saw."

Bacon's offers of public service had now to be semi-jocose. In congratulating Buckingham toward the end of 1625 on the birth of a son—the son who gained some fame as one of the authors of the burlesque play, *The Rehearsal*—Bacon says, "I marvel that your Grace should think to pull down the monarchy of Spain without my good help. Your Grace will give me leave to be merry, however the world goeth with me."⁴³

With the world going badly, Bacon pondered on his grave. On December 19, 1625, he published his will with a codicil newly annexed. In the will proper, he reaffirms all previous gifts to his wife, *viz.*, lands in Hertfordshire, the farm of the seal, and "goods in accomplishment of my covenants of marriage." In addition, he bequeathes to her "the ordinary stuff at Gorhambury," his best caroché and four coach geldings, as well as her own coach mares and caroché; and a life interest in one-half the rent of Read's lease. Gorhambury and the lands in Hertfordshire should bring in, he says, £700 per annum, "besides woodfells, and the leases of the houses," or more than £200 above his marriage covenant. Among other benevolences, he notes £600 per annum "upon the farm of the writs," and jewels and plate "wherein I was never straight-handed." All these things are mentioned "not because I think it too much, but because others may not think it less than it is." The codicil to the will shows clearly that his wife had sorely displeased him, for therein he revokes all devises and bequests to her "for just and great causes" and leaves to her only her legal interest in his estate. The revocation in the codicil, his wife's seemingly living apart from her husband during his last years, her early remarriage to her gentleman-usher, and the attacks of the satirists upon her character all seem to point to infidelity. Disloyalty on the part of his wife at the time of his greatest need of loyalty, at a time that he had to borrow money under bond from Thomas Meautys to discharge debts incurred during his illness, must have been a great blow and one that hastened his death. The will is eloquent, ". . . the day of death is better than the day of birth."

"For my name and memory," Bacon says in his will, "I leave it to men's charitable speeches, and to foreign nations, and the next ages." He had little but his name and memory to leave, for his

⁴³Lambeth MSS., Gibson Papers, VIII, 208.

debts amounted to more than £22,000 and his assets to somewhat more than £7,000. The executors declined to act, and letters of administration were issued to two of his creditors. But the will is none the less interesting because, like all his experiments in life, it proved ineffective. It shows, as no other document could, the nature of the man and his attitude toward his relatives, friends, and servants. He expresses his desire to be buried "in St. Michael's church, near St. Albans: there was my mother buried," and directs that the expense incident to his funeral be limited to £300. His first attention is given to his writings, copies of which he wishes to be placed in the libraries of the king, the archbishop of Canterbury, Eton College, Trinity and Benet colleges, and Cambridge and Oxford universities. He bequeathes his speeches and letters to the bishop of Lincoln and the chancellor of the duchy of Lancaster. All other papers he bequeathes to Constable and Boswell. To the poor of nine parishes in which he had lived, he leaves a total of £240. To Sir John Constable, husband of his sister-in-law, he leaves all his books and £100, and to various other friends and relatives small gifts or bequests in money, totaling £880 and ranging from £30 to £150, usually with the request that a memorial jewel or ring be bought. To Tobie Matthew he leaves £30 for the purchase of a ring. The will is intensely interesting in that it appears that Bacon, despite his constant borrowing, seems to have continued to maintain a retinue of servants. To every servant unnamed in his will, he leaves £5. To a total of thirty-one named servants or former servants, or relatives of either, he leaves £2,545, ranging in individual gifts from £5 to £400, including a bequest of £100 to Dr. Rawley, his chaplain. The disparity between the bequests to friends or relatives and to servants indicates a nicety of taste. The friends or relatives needed but a memorial of him; the servants needed money. He directs in his will that his executors sell his chambers at Gray's Inn, the ground floor of which should bring £100 and the third and fourth floors £200, and with the proceeds afford relief to fifteen needy students at Cambridge and ten at Oxford. The proceeds of real and personal property he directs to be invested in land, the income from which should be used for endowing "two lectures in either the universities, one of which lectures shall be of natural philosophy, and the sciences in general thereunto belonging." The lecturers, who should each receive no more than £200 annually, might be Englishmen or foreigners. The six executors of his will were to be supervised by the duke of Buckingham and one other supervisor. Thus the will

of Bacon, drafted without alloy of sentimentality, reveals his loyalty to his friends, his liberality to his servants, and his love of learning.

Though the shadow of death had already crossed Bacon's path a number of times during the past few months and was still lingering thereon, he hoped yet to be pardoned fully and be allowed to sit in the new parliament which met on February 6, 1625-1626. He, therefore, wrote to Sir Humphrey May at the new year asking him to "sound the Duke of Buckingham's good affection towards me."⁴⁴ "It is true," he says, "that I shall not be able, in respect of my health, to attend in Parliament; but yet I mought make a proxy. Time hath turned envy to pity . . . I hope I deserve not to be the only outcast. God keep you."

The experiment with Nature continued. On his way to Highgate, Bacon, in an endeavor to study the power of cold in arresting putrefaction, bought a fowl and stuffed it with some of the newly fallen snow. Becoming ill, he sought shelter at the home of the earl of Arundel and Surrey, where the keeper put him into a damp bed. Ill for some days in a home from which the owner was absent, Bacon wrote a letter of apology to Arundel and asked him to pardon the keeper, who had made the house very happy for him. With grim irony, Bacon uses a classical analogy:

I was likely to have had the fortune of Caius Plinius the elder, who lost his life by trying an experiment about the burning of the mountain Vesuvius. For I was also desirous to try an experiment or two, touching the conservation and induration of bodies. As for the experiment itself, it succeeded excellently well.

On Easter Sunday, April 9, 1626, Bacon died. Peter Boener, his apothecary and secretary, says he was "always the same both in sorrow and in joy, as a philosopher ought to be."

⁴⁴*Ibid.*, VIII, 209.

CHAPTER XIX

Immortal Land, NEW ATLANTIS

OUT of the void, with dreams we create. Visions are the heritage of humanity. "We are such stuff," says Prospero, "as dreams are made on." Dreams can no more be laid than ghosts or conscience. Children are with dreams carried from the cabin in the cotton to the castle in the Apennines; from paupers they are metamorphosed into princes. Christians dream of everlasting life in that land where, freed from the bonds of sin and poverty, as Sir Walter Raleigh puts it:

... the blessed paths we'll travel,
Strowed with rubies thick as gravel;
Ceilings of diamonds, sapphire floors,
High walls of coral, and pearly bowers.

The social philosopher dreams of a land of religious and economic freedom, of equality before the law, of a land unsmeared by the gory hand of war. The more the body is fettered, the more the mind liberates itself. Frustration leads to escapism, and escapism is but a dream. Calderón has incomparably expressed it:

*Que toda la vida es sueño,
Y los sueños sueño son.*

All are caught in the web of dreams and all spin illusions. The child who has visions is called a day-dreamer, the Christian a prophet, the philosopher an idealist. The child calls his creation the Enchanted Land; the Christian the Promised Land; the man of wisdom Utopia.

The story of idealism is the story of sacrifice. In order to aid man, the idealist Prometheus endured agony on Mt. Caucasus; for his desire to redeem man, another idealist two millennia ago wore a crown of thorns and suffered death on the cross. Socrates, Plato, Sir Thomas More, and Bacon, all were martyrs, sacrificing their hearts or their lives for their ideals.

A sense of frustration turned Bacon to dreams and to the ideal commonwealth. Unaided in his work in natural history and philosophy, unreceived by those who might have offered haven to his ideas, he escaped from the crass reality in a vision which he called the *New Atlantis*. The *New Atlantis* would prove that his choice had been not Cain's but Christ's.

Throughout his life, Bacon the lawgiver had been attracted by the ancient lawgivers. In his offers to digest the laws of England, he refers to Minos, Lycurgus, and Solon, and Caesar and Justinian. He knew of the writings of the ancients on law and government, the *Politics* and *Ethics* of Aristotle and *De Republica* of Cicero. But in the *New Atlantis* Bacon was not interested in digesting laws or in writing practically on legal and governmental systems. He knew also the lawgivers of Biblical literature and the efforts of Plotinus to harmonize mysticism and dialectics, as well as *De Civitate Dei* of St. Augustine, but the issue between Hellenism and Christianity was now dead. He turned, therefore, to the ideal commonwealth as it had been planned by Solon and cultivated by Plato in his *Republic*, with additions from the *Timaeus* and *Critias*; and, one hundred years earlier, by Sir Thomas More in his *Utopia*.

The site of these three ideal commonwealths is an imaginary continent or island; the opening scene of each is a seaport; the governing class in each is somewhat similar; property is held in common; gold and silver are of little value; immorality is practically non-existent; religious freedom is, in general, tolerated; and eugenic marriage is insisted upon. In addition, each author knows the futility of his undertaking: Plato says of his republic, "It exists nowhere on earth, though there may be a pattern of it laid up in heaven." More says, ". . . many things be in the Utopian wealpublique, which in our cities I may rather wish for than hope for"; and Rawley, the editor of the *New Atlantis*, says, "Certainly the model is more vast and high than can possibly be imitated in all things."

The plan of Bacon was originally at least as comprehensive as that of Plato or More. Rawley states, "His Lordship thought also in this present fable to have composed a frame of Laws, or of the best state or mould of a commonwealth," but he was diverted by his natural history. His purpose was, however, quite different. Plato and More planned republics in conscious reaction to the social evils of their ages, in which the conduct of the individual and society might be perfected. Bacon wrote in advocacy of the establishment of an institute for research in the natural sciences, a fond dream for many

years. Indeed, among his instructions to Thomas Bushell, he said, "Let Twitnam Park, which I sold in my younger days, be purchased, if possible, for a residence for such deserving people to study in, since I experimentally found the situation of that place much convenient for the trial of my philosophical conclusions."

It may be that the *New Atlantis*, written in 1624 and published in 1627, was influenced by the *Christianopolis* of Johann Valentin Andreae, published in 1619. Although Andreae was interested primarily in presenting a picture of communistic life, he does describe, though briefly, the scientific life of the inhabitants of Christianopolis, who have a laboratory of physical science, a pharmacy and a school of anatomy, a natural history museum, and a mathematics laboratory. Another descendant of the works of Plato and More, the *Civitas Solis Poetica: Idea Reipublicae Philosophiae*, by Tommaso Campanella, friend of Galileo, may have influenced Bacon. Although the work was not published until 1637, it was written before *Christianopolis*. This work is similar to the *New Atlantis* only in that science is taught by demonstration. Campanella predicts the invention of the steamboat and of wagons driven by the wind; Bacon predicts the invention of the airplane and the submarine. The *Journey to the Land of the Rosicrucians*, attributed to Joseph Heydon, is so similar in style to Bacon's work that some think it an early draft of the *New Atlantis*.

New Atlantis is, like Prospero's isle, a sanctuary for him who would understand the mysteries of Nature. The name, as has been said, is similar to that of a mythical continent believed by the ancients to have been engulfed by the Atlantic Ocean. In the native tongue, it is called *Bensalem*, possibly no more than a combination of *Bethlehem* and *Jerusalem*; or *Ben* and *Salem*, the Good Jerusalem. The "lanthorn of this kingdom" is Salomon's House, an "Order or Society . . . dedicated to the study of the Works and Creatures of God," otherwise called The College of Six Days' Works. Just as Brutus gave his name to Britain, and King Utopus to Utopia, just so King Solamona, or Solomon, who reigned "about nineteen hundred years ago," gave his name to the society. The location of New Atlantis is indeterminable. Mariners sailed from Peru for China and Japan; winds from the east favored them for five months, but winds from the west for many days made progress almost impossible; these winds, however, were followed by "strong and great winds from the south, with a point east." The direction was, therefore, generally northwesterly, and New Atlantis must be in the neighborhood of

Hawaii, certainly north and east of Australia. But geographic details bothered Bacon little. Just as Atlantis is associable with America, just so New Atlantis is associable with Australia, about which but little was known in Bacon's day. The rudeness of Americans is accounted for by the fact that when Atlantis was inundated about three thousand years ago only some "wild inhabitants of the wood escaped" drowning. The tongue of the natives of the *Utopia* is somewhat like the Persian; they knew no Greek until Hythloday taught that language. The natives of the *New Atlantis*, however, know Hebrew, Greek, Latin, and Spanish, and speak usually in Spanish.¹ As in the *Utopia* only one city, Amaurote, is named, so in the *New Atlantis* only one city, Renfusa, is named. The New Atlanteans possess the peace of God. "About twenty years after the ascension of our Saviour," the people of Renfusa saw on the sea a column of light surmounted by a cross of light. With the approach of the natives, the light vanished but left in its place an ark containing a palm branch, a book, and a letter. The book contained the Old and New Testaments and the Apocalypse, as well as other books of the New Testament then unwritten. The letter declared, ". . . where God shall ordain this ark to come to land, that in the same day is come unto them salvation and peace and good-will, from the Father, and from the Lord Jesus." Although the natives are thoroughly Christian, the Jews of the island are allowed to worship in their own way.

The influence of voyages to the New World is almost as manifest in this work as it is in the *Utopia*, in which Raphael Hythloday, the principal narrator, has journeyed with Vespucci. The influence of the voyages of Marco Polo is especially apparent. The maritime commerce of the New Atlanteans to China is related, and the immurement of the Chinese is compared unfavorably with that of the New Atlanteans.

The story is related in the first person. The mariners sailing from Peru are lost in the "greatest wilderness of waters in the world"; they sight land and are graciously entertained in the handsomely appointed Strangers' House. There, while the sick are being healed as if by divine aid, the governor of the Strangers' House tells them of the history of the island.

The family is the unifying social element of the island. Any man who has thirty descendants, all more than three years old, is given a

¹It will be recalled that shortly before Bacon composed this work, Prince Charles and Buckingham visited Spain, and that Bacon's letters of this period contain many proverbs in Spanish.

feast. In describing one of the feasts, reminiscent of the essay "Of Masques and Triumphs," Bacon introduces all the enameled beauty of the court-masque:

And the state is curiously wrought with silver and silk of divers colours, broiding or binding in the ivy; and is ever of the work of some of the daughters of the family; and veiled over at the top with a fine net of silk and silver. But the substance of it is true ivy; whereof, after it is taken down, the friends of the family are desirous to have some leaf or sprig to keep . . . The herald and children are clothed with mantles of sea-water green sattin; but the herald's mantle is streamed with gold, and hath a train.

The introduction of one of the fathers of Salomon's House gives Bacon opportunity to portray him in the Renaissant manner, with a touch of the later portraiture of Rembrandt and Gainsborough:

He was clothed in a robe of fine black cloth, with wide sleeves and a cape . . . He had gloves that were curious, and set with stone; and shoes of peach-coloured velvet. His neck was bare to the shoulders. His hat was like a helmet, or Spanish Montera; and his locks curled below it decently: they were of colour brown. His beard was cut round, and of the same colour with his hair, somewhat lighter . . . The chariot was all of cedar, gilt, and adorned with crystal; save that the fore-end had pannels of sapphires, set in borders of gold, and the hinder-end the like of emeralds of the Peru color. There was also a sun of gold, radiant, upon the top, in the midst; and on the top before, a small cherub of gold, with wings displayed. The chariot was covered with cloth of gold tissue upon blue. He had before him fifty attendants, young men all, in white sattin loose coats to the mid-leg; and stockings of white silk; and shoes of blue velvet; and hats of blue velvet; with fine plumes of divers colours, set round like hat-bands.

There is little of social interest in the *New Atlantis*. The island is, however, the "virgin of the world," for "there are no stews, no dissolute houses, no courtesans, nor any thing of that kind." The New Atlantians believe that "*the reverence of a man's self is, next religion, the chiefest bridle of all vices.*" Nor is there polygamy. The children of a couple who marry without consent inherit not more than a third of the estate of their parents. Joabin, a Jew, is acerb when he discusses the attempt of Sir Thomas More to effect eugenic marriage by permitting the couple "before they contract, to see one another naked." The New Atlantians, he says, have "a more civil way; for they have near every town a couple of pools, (which they call *Adam and Eve's pools*), where it is permitted to one of the friends of the man, and another of the friends of the woman, to see them severally bathe naked."

All these things are, however, merely incidental to Bacon's purpose. His is an ideal commonwealth of communistic labor, of which Salomon's House is the nucleus. King Solamona was a true father of his foundation, for he was the author of a natural history of plants and "of all *things that have life and motion*." The father of Salomon's House grants an audience to the mariners and tells them first of the end of the foundation; second, "the preparations and instruments we have for our works"; third, "the several employments and functions whereto our fellows are assigned"; and, fourth, "the ordinances and rites" of the foundation. The end of the foundation "is the knowledge of Causes, and secret motions of things; and the enlarging of the bounds of Human Empire, to the effecting of all things possible."

Among the preparations and instruments are caves more than three miles deep, used for coagulation and refrigeration and the prolongation of life; towers half a mile in height, used for insulation and observation of meteors, winds, rain, snow, and hail. There are "engines for multiplying and enforcing of winds"; orchards for grafting and inoculating, and gardens for producing new plants; park enclosures for beasts and birds which may be used for dissection in an effort to cure mankind; meats concentrated by beating. There are apothecary shops in which experiments are made; mechanical shops for the manufacture of new paper, cloth, and dye; furnaces for the creation of heat in imitation of the sun; houses for the demonstration of "lights and radiations"; glasses for the study of insects, gems, and blood; sound-houses in which the human voice is reflected many times and in which it is conveyed in "trunks and pipes, in strange lines and distances." There are enginehouses for the creation of swifter motions "by wheels and other means" and for the invention of new instruments of war; imitations of the flight of birds and "flying in the air"; "ships and boats for going under water"; swimming girdles; and a house in which are displayed "all instruments, as well of geometry as astronomy, exquisitely made." Although some of the "preparations and instruments" seem fantastic to us now, as Rawley states, "most things are within men's power to effect." Certainly many of them have become realities. As Lamartine says, "Utopias are but premature truths."

As for the employment of the fellows of The College of Six Days' Works, twelve men gather books, abstracts, and patterns in foreign countries. Three men collect the experiments in these books; three men collect the experiments of all mechanical arts, and also of liberal

sciences, and of practices which are not brought into art. Three try new experiments; three "draw the experiments of the former four into titles and tables"; three, after examining the experiments of their fellows, "draw out of them things of use and practice for man's life." Three direct new experiments; three execute the experiments and report on them; and three more reduce the discoveries "into greater observations, axioms, and aphorisms." In addition, there are apprentices and servants who aid the others. After consultation, some of the inventions and discoveries are published; the fellows and assistants are sworn to keep the others secret.

As for ordinances and rites, patterns of the rare inventions are displayed in galleries; and statues of metal, stone, or wood of the famous inventors are placed in a Hall of Fame. Daily hymns are sung to God for his "marvelous works," and prayers are said imploring his "aid and blessing for the illumination of our labours." Predictions are made of plagues, tempests, earthquakes, comets, and temperature, and the people of the realm are advised how to guard against resultant evils. As to Bacon's prophetic powers in this section of the work, one need only compare the functions of the various offices of most of the governments of the world.

A list of thirty-three desiderata follows the *New Atlantis* in the original edition. The list includes such items as "The curing of diseases counted incurable," "The mitigation of pain," and "The altering of features."

The *New Atlantis* is but a fragment, like *The Canterbury Tales*, *The Faerie Queene*, *The Recluse*, and Bacon's own *Instauratio Magna*. No other work of Bacon, however, so well reveals his personality and his zest for the subjugation of Nature, as well as the temper of the age. Bacon must have thought bitterly of his own experience when he makes the notary decline a gratuity and say, "He must not be twice paid for one labour," and Bacon adds, ". . . they call an officer that taketh rewards, *twice paid*." The College of Six Days' Works was, of course, the type of research institution which Bacon had always wished to found and the type which he needed for the progress of his own work. He must, however, in addition have had in mind the College of God's Gift, founded by Edward Alleyn, the charter for which Bacon had examined.

The ideal commonwealth has ever been the subject of burlesque and satire. *The Land of Cockayne* in Middle English literature is but one of many examples. As Lucian derides Plato's *Republic* as the solitary residence of Socrates, governing himself according to his

own laws, so Swift in his *Gulliver's Travels* mocks the *New Atlantis*. The evocation of such derision but shows, however, that dreams may be as vital as realities.

The *New Atlantis* inspired the organization in 1645 of the Invisible College for the discussion of natural philosophy. Out of the Invisible College grew the Royal Society. In an address before that society, Joseph Glanvill said, "*Solomon's House*, in the *New Atlantis*, was a prophetic scheme of the Royal Society," a statement confirmed by D'Israeli. John Evelyn the diarist, in writing to the president of the Royal Society, said, "But *Solomon* built the first temple, and what forbids us to hope that as great a prince may build *Solomon's house*, as that *great chancellor* . . . had design'd the plan, there being nothing in that *august* and *noble model impossible*, or beyond the *power of nature* and learned industry." Thomas Sprat, who also ascribes to Bacon the founding of the Royal Society, says in his history of that society, "The Dutch have one place (I mean the *Hague*) which may be soon made the very copy of a Town in the *New Atlantis*." The *New Atlantis* is truly a temple, ruinous and abandoned, but still well buttressed with the granite blocks which Bacon spent his life in collecting. In this temple, created by Bacon out of his ruined Paradise by an alchemy of vivid imagination, "the world's sweet inn from care and wearysome turmoil," we yet find inspiration.

The flavor of the *New Atlantis* is that of berries which have lain the long winter in the snow, mellow yet tart. The style is wistful and haunting, like the face of the father of Salomon's House, which looks as if it "pitied men." The tones are long-drawn and tremulous, voices from a moss-covered tomb. In color it is like a nautical map withdrawn from an ancient seachest, yellowed and corroded by the salt spray, but vivid in the outlines of the enchanted isle, the Promised Land which Bacon attained only through his dreams. Yet after the lapse of a third of a millennium, the call of Bacon is as clear as that of the Bristol sailor, Robert Thorne, "There is no land uninhabitable, no sea innavigable, to an Englishman."

Epilogue

As time has removed from the fame of Plato almost all the tarnish of lust and has left only the serene philosopher, so time has anointed the wounds given and suffered by Bacon, and, removing all trace of smallness, has left for us the unblemished image of heroic stature. Unblinded by those contemporary jealousies which crucified Christ and tortured Shakespeare and impaled Shelley upon the thorns of life, we can see Bacon in the timeless radiance which only time can shed.

Bacon bequeathed his name to "men's charitable speeches, and to foreign nations, and the next ages." But Bacon was not unfriendly toward his own age, nor was his age, at home and abroad, uncharitable or unfriendly toward him. After his death, his friends at the universities wrapped him in the cerement of Latin elegy. Ben Jonson says that he could not commiserate with Bacon after his fall, for "no accident could do harm to virtue, but rather serve to make it manifest." In addition to Jonson, Bacon had other literary friends and acquaintances, including Fulke Greville, Lord Brooke. Bishop Lancelot Andrewes and Sir Henry Savile, both engaged in the translation of the King James version of the Bible, were also close friends. To the former, Bacon dedicated his *Advertisement Touching a Holy War*; the latter he emulated in providing in his will for the founding of scholarships. A warm friendship existed also between Bacon and the founders of two of the largest libraries in Europe, Sir Robert Bruce Cotton and Sir Thomas Bodley. To the latter he wrote, ". . . books are the shrines where the saint is." To his family Bacon was devoted: his works abound in tribute to his father; he wished to be buried near his mother; for his brother, to whom he dedicated the first edition of his *Essays*, he had the warmest sympathy and understanding. To the daughter of his half-brother, he offered advice on marriage; to Sir John Constable, his "brother-in-law," he dedicated the 1612 edition of the *Essays* and bequeathed his books. His

cousin, Sir Henry Wotton, who composed the inscription on his monument in St. Michael's Church, said that "children of nature" had never before "had so noble, nor so true an interpreter"; and Wotton's cousin, Sir Thomas Meautys, who acted as Bacon's secretary, erected his monument. Bacon speaks warmly of his literary assistants: among "some good pens that do not forsake" would seem to be included George Herbert, John Selden, and Thomas Hobbes. The most valuable and devoted of such assistants was Dr. William Rawley, Bacon's chaplain and editor. Rawley states that Bacon "was much revered and beloved" at Gray's Inn; that he was religious and devoid of malice; and that he was a good master to his servants. Peter Boener, Bacon's apothecary, calls him "a noteworthy example and pattern for everyone of all virtue, gentleness, peacefulness and patience." Tobie Matthew, whom Bacon visited during Matthew's imprisonment for the faith and whom he continued to befriend after Matthew had been exiled by his king and disinherited by his father, says of Bacon, "It is not his greatness that I admire, but his virtue; it is not the favours I have received from him (infinite though they be) that have thus enthralled and enchained my heart, but his whole life and character." Nor was Bacon unappreciated by contemporary royalty: from his boyhood, when Elizabeth called him "my little Lord Keeper," to her death, he commanded her admiration. His service to James was invaluable. D'Ewes tells us that when the seal held by Bacon was returned to James, the king said, "Now, by my saule, I am pained at my heart where to bestow this." He befriended and cherished princes Henry and Charles, and he carried on a warm and sympathetic correspondence with their sister, the queen of Bohemia, and their uncle, Christian IV, king of Denmark. The best full-length portrait of Bacon by a contemporary is that by Camden, the greatest of the Elizabethan and Jacobean historians:

He was of a middling Stature; his Countenance had indented with Age before he was old; his Presence grave and comely; of a high-flying and lively Wit, striving in some things to be rather admir'd than understood; yet so quick and easy where he would express himself, and his Memory so strong and active, that he appear'd the Master of a large and plenteous Store-house of Knowledge, being (as it were) Nature's Midwife, stripping her Callow Brood, and cloathing them in new Attire. His Wit was quick to the last . . . In fine, he was a fit Jewel to have beautified and adorned a flourishing Kingdom, if his Flaws had not disgraced the Lustre that should have set him off.

Bacon was not without honor abroad in his own day: his work commanded the respect, among others, of Isaac Casaubon, librarian

to Henry IV of France; of Father Redemptus Baranzano of Anneci; and of Father Fulgentio of Venice. Great men among foreign nations in succeeding ages have likewise justified the faith that Bacon reposed in them. In France, Cardinal Richelieu was a warm admirer; Descartes says that a work drawn up "according to the Verulamian method, without the admixture of hypothesis, . . . would prove of great utility." D'Alembert used his partition of the sciences in his discourse introductory to the *Encyclopédie*. Balzac says, "*Croyons, pour l'amour du chancelier Bacon, que toutes les folies des anciens sont sages et tous leur songes mystères.*" Germany sends her tribute by Leibnitz, "If we compare Descartes and Hobbes with Bacon and Campanella, the former writers seem to grovel upon the earth,—the latter to soar to the heavens, by the vastness of their conceptions, their plans, and their enterprises."

Nor has literary England in succeeding ages failed to pay homage. Walpole calls Bacon the prophet of arts. Addison says that he has "the sound, distinct, comprehensive knowledge of Aristotle, with all the beautiful light graces and embellishments of Cicero." Even Pope says that he was "the greatest genius that England, or perhaps any other country, has ever produced." Thomson says he

. . . in one rich soul
Plato, the Stagyrte, and Tully joined.
The great deliverer he, who from the gloom
Of cloistered monks, and jargon-teaching schools,
Led forth the true philosophy.

Shelley the rebellious says, "For my part I had rather be damned with Plato and Lord Bacon, than go to Heaven with Paley and Malthus." Wordsworth quotes him with approval in *The White Doe of Rylstone*. Macaulay says he "moved the intellects which have moved the world." Ruskin calls him the "wisest of Englishmen"; and Tennyson thought him worthy of a niche in *The Palace of Art*:

And through the topmost oriels' colored flame
Two godlike faces gazed below;
Plato the wise, and large-brow'd Verulam,
The first of those who know.

The faith of Bacon's contemporaries and followers is not misplaced, for Bacon was a dedicated spirit. "I found," he says, "that I was fitted for nothing so well as for the study of Truth," and the love of truth inspired him in his success and comforted him in his fall.

"I have taken all knowledge to be my province," Bacon says in a youthful letter to Burghley. Yet his aspiration lay mainly in state-

craft and philosophy. A wish expressed to Essex, to have "the conscience and commendation first of *bonus civis*, which with us is a good and true servant to the Queen," was a fervent hope throughout his life. Preferring the active life, he says that inaction is only for angels. He would, like Plato, infuse philosophy into statecraft; the king must be a philosopher. He would also bring philosophy to the hearth of every Englishman. Through the *Essays*, he would inject it into "men's bosoms," and through the *Novum Organum*, he would better "men's bread and wine."

It was the vision of the philosopher that would transmute the clod named man into a god. It was the dual aspiration to perfect statecraft and philosophy that enabled Bacon to walk upon the earth even while he soared in the clouds; that enabled him to be a warm, generous, simple friend even while he occupied great place. It was the conflict between the real and the ideal that humanized Bacon even while it deified him; there has never been a god who has not partaken of the nature of man. Many have seen only the human, fewer the superhuman, nature of Bacon—the imperfect, not the perfectible, essence. The "best of men," he says, "are like the best precious stones, wherein every flaw or icicle or grain are seen and noted more than in those that are generally foul and corrupted." But the imperfection does not obscure the desire for perfection. Bacon usually chose the better cause and not the worse; he preferred the good of the state to the good of the individual. The knowledge that "a Deity burneth still within" was always present, softening Bacon's nature and spiritualizing his writings. If to be a gentleman is to be kind and charitable to one's friends; if to be a patriot is to love one's country and government beyond one's self; if to be a philosopher is to love wisdom and truth even to the extent of eating without bitterness the bitter fruits of one's folly and falsity; if to be a Christian is to have hope for man, faith in immortality, and unalterable belief in the Deity, Bacon is gentleman, patriot, philosopher, and Christian. In the dark days after his fall, the light of the spirit burned steadily within him as he wrote:

. . . there is nothing more awakens our resolve and readiness to die, than the quieted conscience, strengthened with opinion that we shall be well spoken of upon earth by those that are just and of the family of virtue; the opposite whereof is a fury to man, and makes even life unsweet.

All who devoutly seek knowledge and truth will honor the shrine of Bacon.

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